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STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT
OF INSURANCE
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March 9, 2016

**TO: ALL HEALTH INSURANCE CARRIERS THAT OFFER OR ADMINISTER
HEALTH BENEFIT PLANS**

RE: REVISED EFFECTIVE DATE FOR GRIEVANCE PROCEDURES

THE FOLLOWING Bulletin is issued pursuant to NMSA 1978 Sections 59A-2-8, 59A-2-10 and 59A-4-3, and Sections 13.1.2.1 to 13.1.2.10 NMAC.

The purpose of this Bulletin is to announce the change in the effective date of the Grievance Procedures as described in 13.10.17.1 to 13.10.17.41 NMAC, from January 1, 2016 until **January 1, 2017**.

Please refer to the OSI website <http://www.osi.state.nm.us/rule-making/index.html> for the rules that are currently in effect through **December 31, 2016** and the rules with the effective date of **January 1, 2017**.

Insurance carriers shall commence the Notice requirements, so that all subscribers/policy holders are notified of their rights in a timely manner during their annual 2016 review process.

The New Mexico Superintendent of Insurance (OSI) has determined that it is in the public interest to delay implementation of the Grievance Procedures described at 13.10.17 NMAC from January 1, 2016 until January 1, 2017. These regulations were promulgated following public rulemaking, including publication of proposed rules, hearing, and public comment. The prior rules provide protections which will remain in place during the interim period. The newly implemented Grievance Procedures will be effective for any grievances initiated on or after **January 1, 2017**. This delay in implementation is permissible under the Federal Regulations found at 45 C.F.R. § 147.136(c)(2) and (c)(3).

Any person aggrieved by a bulletin may request a hearing before the Superintendent in accordance with NMSA 1978 59A-4-15.


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If you have additional questions regarding this Bulletin, please contact the Managed Health Care Bureau at 1-505-827- 3928.

DONE and ORDERED this 9th day of March 2016.

for 

JOHN G. FRANCHINI
Superintendent of Insurance