

**MINUTES  
of the  
SECOND MEETING  
of the  
INSURANCE NOMINATING COMMITTEE  
May 21, 2013  
Main Conference Room, Regulation and Licensing Department  
5200 Oakland NE  
Albuquerque, New Mexico**

The Insurance Nominating Committee was called to order by Chris Krahling, chair, on May 21, 2013 at 1:40 p.m. in the Main Conference Room of the Regulation and Licensing Department office at 5200 Oakland NE in Albuquerque.

**Present**

Chris Krahling, Chair  
Norman Becker  
Rep. Zachary J. Cook (via telephone)  
Bill Kinyon (via telephone)  
Jason Marks  
Gabriel Parra  
Babette Saenz  
Maureen Sanders  
Scott Yurcic

**Absent**

**Staff**

Mark Reynolds, Director, Civil Division, Attorney General's Office  
John Yaeger, Assistant Director for Legislative Affairs, Legislative Council Service

**Tuesday, May 21**

Upon a motion made by Ms. Sanders and approved without objection, the agenda was approved with the additions of an explicit reference to the job description of the superintendent of insurance and a discussion of liability coverage for the committee and members.

**Approval of Open Meetings Act Resolution**

Mr. Krahling noted that members had been provided with a draft Open Meetings Act resolution at the committee's prior meeting. Upon a motion made by Mr. Becker and approved without objection, the resolution was adopted with the following changes: meeting notices will be posted on the committee's web site, and notice shall be given seven days prior to a meeting. Mr. Reynolds was directed to redraft the resolution to reflect the changes.

**Approval of Minutes of May 14 Meeting**

Upon a motion made by Mr. Marks, the minutes of the May 14 meeting were approved as submitted.

### **Election of a Vice Chair**

Mr. Krahling said he believed it important to have a vice chair to serve in the absence of the chair. Mr. Marks said that he wanted to be clear that the law creating the committee provided for the filling of a vacant position, including the chair, and that the vice chair would act only to chair a meeting in the chair's absence. Mr. Krahling said that was his understanding as well.

Upon a motion made by Ms. Sanders, Mr. Becker was elected vice chair by a vote of 7-2 with Mr. Marks and Dr. Saenz voting NO.

### **Chair's Report**

Mr. Krahling reported the following:

1. an internet web site with the url [www.nminsurancesuperintendent.tk](http://www.nminsurancesuperintendent.tk) has been established that includes information for submitting applications and a draft job description. The committee directed Mr. Yaeger to post additional information, including relevant legislation, information about committee members and the advertisement soliciting applications;
2. an email account ([nminsurancesuperintendent@gmail.com](mailto:nminsurancesuperintendent@gmail.com)) has been established to which committee members and staff have access. Applications are being received only through the account;
3. the draft job description had been posted on the committee's web site. Following a discussion about including more specific information about the superintendent's salary and removing language about the position's ineligibility to join a collective bargaining unit, Mr. Marks moved and the committee approved without objection finalizing the job description with the changes discussed;
4. an advertisement for the position ran in the Sunday, May 19, edition of the *Albuquerque Journal*;
5. the appropriate method to reimburse the committee members for per diem and mileage is still being explored by staff; and
6. options would be pursued concerning funding for conducting background checks on the final candidates for the position.

### **Candidate Selection Process**

Mr. Krahling opened a discussion on the candidate selection process. He suggested that each committee member review the applications as they are submitted and be prepared to discuss at the committee's next meeting which applicants the committee should interview. Following a discussion about a rating methodology and the development of questions for applicants, Mr. Marks moved and the committee approved without objection a proposal that the committee next

meet in early June to perform an initial screening of the applicants with the goal of selecting those applicants to be interviewed at a subsequent meeting.

Ms. Sanders moved and the committee approved without objection that Messrs. Krahling, Becker and Marks comprise a subcommittee to make a recommendation on questions to be posed to applicants and a rating methodology.

Mr. Krahling said that committee members and members of the public should submit suggestions for questions to be posed to applicants.

### **Committee Liability Exposure and Coverage**

Mr. Parra raised questions concerning the exposure of the committee and individual members to legal claims. Mr. Reynolds said he would research the questions and report back to the committee.

### **Time and Place of Next Meeting**

The committee agreed to next meet on June 6, 2013 at 1:30 p.m. The committee agreed to meet at the same location if possible.

### **Public Comment**

Dick Mason, representing Health Action New Mexico, urged the committee to select a superintendent of insurance who understands what Mr. Mason said would be the superintendent's important role in the implementation in New Mexico of the federal Patient Protection and Affordable Care Act. Mr. Mason agreed to submit questions for applicants for the committee's consideration reflecting that concern.

There being no further business, the committee adjourned at 3:30 p.m.