

BEFORE THE NEW MEXICO OFFICE OF SUPERINTENDENT OF INSURANCE

**IN THE MATTER OF ADOPTION OF)
RULES AS REQUIRED BY CHAPTER 59A,)
ARTICLE 23G NMSA 1978 FOR THE)
REGULATION OF SHORT TERM)
HEALTH PLANS AND EXCEPTED)
BENEFITS PRODUCTS)**
_____)

Docket No. 20-00007-RULE-LH

NM OFFICE OF
SUPERINTENDET
OF INSURANCE

2020 March 25 AM 10:50

FILED

AMENDED ORDER APPOINTING REFEREE AND SETTING SCHEDULE

THIS MATTER came before Hearing Examiner R. Alfred Walker upon the Order Docketing Rulemaking and Appointing Hearing Examiner (“Superintendent’s Order”), filed in this docket on February 25, 2020, and the Hearing Examiner being duly informed;

THE HEARING EXAMINER ORDERS:

1. Todd Baran is appointed Referee in this matter, with the authority granted in the Superintendent’s Order, to preside over work sessions at which proposed rules required by Article 23G of the Insurance Code will be considered.

2. Any person or entity desiring to participate in the work sessions shall submit a request to participate to the Hearing Examiner by March 30, 2020. The request to participate shall include the requester’s name, address, telephone number, email address, and a brief description of the requester’s interest in short term health plans and excepted benefits products. The Hearing Examiner, in conjunction with the Referee, will notify the requesters by April 3, 2020 of approval or disapproval of their request to participate.

3. Any person who has previously requested to participate is not required to submit another request.

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4. All submissions must be emailed to the Hearing Examiner at alfred.walker@state.nm.us, with a copy to the Referee at todd.baran@state.nm.us, and must also be filed by 4:00 p.m. on the date of the deadline by mail, or electronic mail to:

OSI Records and Docketing
1120 Paseo de Peralta, Room 331
P. O. Box 1689
Santa Fe, NM 87504-1689
OSI-docketfiling@state.nm.us

ATTN: Docket No. 20-00007-RULE-LH

5. A telephonic preliminary hearing to discuss procedural and scheduling matters and to clarify procedures will be held on April 8, 2020 at 9:00 a.m. Approved requesters will be notified by April 3, 2020 of the procedures for joining the conference call.

6. The Referee shall conclude the work sessions and submit proposed rules, including any alternate rules, to the Hearing Examiner by May 11, 2020.

7. At the conclusion of the work sessions, and upon submission of proposed rules, OSI Staff shall cause a Notice of Proposed Rulemaking (“NOPR”) to be issued and published by May 19, 2020.

8. The period for taking written public comments shall be from May 19, 2020 to June 19, 2020.

9. The Public Hearing on this rulemaking shall commence at 9:00 a.m. on June 19, 2020 at a place or by means to be set forth in the NOPR.

10. There shall be a comment response period to June 29, 2020.

11. The Hearing Examiner shall enter a Recommended Decision in sufficient time for the Superintendent of Insurance to issue a Final Order for any amendments to go into effect on August 1, 2020.

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12. This Order shall be served to the persons listed on the attached certificate of service, by email unless otherwise noted.

13. Staff Counsel shall upload the order on the OSI Newsletter and ensure the order is sent out as a large volume correspondence on the State Based System.

14. This Order is effective immediately.

Done and ordered this 25th day of March, 2020.

A handwritten signature in blue ink that reads "R. Alfred Walker". The signature is written in a cursive style and is positioned above a horizontal line.

R. Alfred Walker
Hearing Examiner

CERTIFICATE OF SERVICE

I **HEREBY** certify that a true and correct copy of the foregoing *Amended Order Appointing Referee and Setting Schedule* was emailed to the following individuals, as indicated below, this 25th day of March, 2020.


Bryan Brock, General Counsel
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Alfred Walker, Hearing Officer
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MELISSA Y. GUTIERREZ, Law Clerk
Office of General Counsel
Office of Superintendent of Insurance

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