



Office of the Governor

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FOR IMMEDIATE RELEASE

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Insurance superintendent guarantees free COVID-19 testing and treatment for New Mexicans

SANTA FE – In response to Governor Michelle Lujan Grisham’s March 11 declaration of a public health emergency, Superintendent of Insurance Russell Toal has issued an emergency rule prohibiting health insurers from imposing cost sharing, including copays, coinsurance and deductibles, for testing and health care services related to COVID-19. The rule also covers pneumonia, influenza, or any disease or condition that is the subject of a public health emergency.

“Gov. Lujan Grisham has made clear that New Mexico will take aggressive, proactive steps to contain and prevent the spread of COVID-19. A key part of that strategy is ensuring access to free, high-quality care, including testing and treatment,” said Superintendent Toal. “We thank New Mexico insurers for cooperating with OSI in the formulation of this rule.”

Additionally, Superintendent Toal issued two orders related to oversight of insurers during a public health emergency.

The first order requires insurers providing major medical coverage and insurers providing limited benefits coverage to notify their members whether and to what extent their policies cover testing and health care services related to COVID-19. Additionally, if an insurer only offers limited coverage, they must notify their members of available full coverage options.

The second order requires limited benefit plans (such as workers compensation and automobile medical payment insurance) to provide notice to their members that their plans do not provide comprehensive medical coverage and to give members information

on where they should go to check on their eligibility to apply for and obtain such coverage.

The Superintendent of Insurance does not have jurisdiction over large employers who “self-insure,” including the State of New Mexico through its state employee health plan. These employers decide which benefits to offer their members and how much members must pay out of their own pockets when they obtain medical care.

Governor Lujan Grisham announced that the state employee health plan will follow the same policies as those announced by Superintendent Toal and called on all other New Mexico employers who self-insure to do the same: “I commend Superintendent Toal for his leadership. During this emergency, we can’t afford to place barriers between New Mexicans and the tests and treatment they need. We need to encourage people to get the tests and treatment they need during this emergency. Today I have directed the General Services Department’s Risk Management Division to ensure that the State Employee Health Plan waives all cost sharing for employees related to the testing and treatment of COVID-19, pneumonia and influenza.”

Governor Lujan Grisham also emphasized the importance of notifying New Mexicans who purchased limited benefit plans that they do not have comprehensive medical coverage and providing information on how they can enroll in such coverage. “Individuals who are uninsured and do not have access to Medicaid, Medicare or employer health coverage should have the opportunity to enroll in a comprehensive health insurance plan through the health insurance exchanges. I call on President Trump and HHS Secretary Azar to issue an emergency order creating a Special Enrollment Period for all people who are eligible to obtain coverage through the health insurance exchanges, such as beWellnm,” said Gov. Lujan Grisham.

If consumers believe they have been unfairly billed for testing or treatment of COVID-19, they should contact the OSI Managed Health Care Bureau at 1-855-427-5674.

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