

BEFORE THE NEW MEXICO OFFICE OF SUPERINTENDENT OF INSURANCE

IN THE MATTER OF ADOPTING)
NEW RULE 13.10.34 NMAC STANDARDS)
FOR ACCIDENT ONLY, SPECIFIED)
DISEASE OR ILLNESS, HOSPITAL)
INDEMNITY, AND RELATED EXCEPTED)
BENEFITS)

Docket No. 20-00043-RULE-LH

FILED
2020 SEP 17 PM 6:46
NEW MEXICO
OFFICE OF
SUPERINTENDENT
OF INSURANCE

FINAL ORDER ADOPTING RULE

THIS MATTER comes before the New Mexico Office of Superintendent of Insurance (“Superintendent” or “OSI”) following a public hearing for comment pursuant to the Notice of Proposed Rulemaking (“NOPR”) filed in this docket and published as required by law.

Having considered the proposed rule and applicable law, the comments submitted in this rulemaking, and the findings, conclusions and recommendations of the Hearing Officer assigned to this matter,

THE SUPERINTENDENT FINDS AND CONCLUDES:

1. The Superintendent has jurisdiction over the subject matter and the parties pursuant to the New Mexico Insurance Code, Sections 59A-1-1 et seq. NMSA 1978 (“Insurance Code”).
2. Statutory authority for promulgation of the proposed new rule is found in the Short-Term Health Plan and Excepted Benefit Act (“the Act”), Sections 59A-23G-1 et seq. NMSA 1978 (2019).
3. The Superintendent designated R. Alfred Walker as the Hearing Officer to preside over this matter. Mr. Walker held a public hearing on the proposed rule on August 13, 2020.
4. After considering the proposed amendments, the comments filed, and the comments made at the public hearing, the Hearing Officer issued his Findings, Conclusions and Recommendations.
5. The Hearing Officer’s findings, conclusions and recommendations are well-founded, legally sound and should be adopted.

IT IS THEREFORE ORDERED:

A. The Superintendent adopts the Hearing Officer's findings, conclusions and recommendations as his own.


B. OSI shall submit the adopted rule to the New Mexico Register on or before September 17, 2020 for publication on September 29, 2010.

C. A copy of this Final Order shall be sent to all persons as indicated on the attached Certificate of Service and shall be uploaded to and distributed through the OSI Newsletter.

D. This Final Order is effective immediately.

E. The docket shall close upon publication of the final rule.

DONE AND ORDERED at Santa Fe, New Mexico, this 17th day of September, 2020.



HON. RUSSELL TOAL
SUPERINTENDENT OF INSURANCE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing *Final Order Adopting Rule* was emailed to the following individuals, as indicated, this 17th day of September, 2020.

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