

STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT OF INSURANCE

SUPERINTENDENT

Russell Toal



DEPUTY SUPERINTENDENT

Robert E. Doucette, Jr.

NOTICE

December 4, 2020

TO: HEALTH INSURANCE CARRIERS

RE: CURRENT COVID-19 CRISIS AND BULLETINS 2020-008 AND 2020-009

Earlier this year the New Mexico Office of the Superintendent of Insurance (“OSI”) issued Bulletins [2020-008](#) and [2020-009](#) that address the payment of claims and the use of out-of-network providers for COVID-19 testing, diagnosis and treatment services. These bulletins explained emergency rules for health insurance carriers that eliminated cost sharing for COVID-19 testing, diagnosis and treatment; directed health insurance carriers to allow members to access out-of-network providers utilizing in-network benefits for COVID-19 testing, diagnosis and treatment; and directed health insurance carriers to reimburse out-of-network providers using the surprise billing rates described in Section 59A-57A-13 NMSA 1978. With New Mexico experiencing a serious and widespread spike of COVID-19 infections, the OSI is bringing these bulletins to your attention once again.

The state’s health care workforce is under unprecedented pressure due to the current COVID-19 crisis. Physicians and other clinicians who normally practice outside of hospital systems are being called upon to work in hospitals and other facilities to provide care to those suffering from COVID-19. The OSI is grateful to the doctors and clinicians who are answering this call. Health insurance carriers are reminded that physicians and other clinicians caring for COVID-19 patients should be promptly and accurately reimbursed, even if they are not practicing in their areas of specialization or in their normal places of service. The OSI wants to be sure that these community heroes receive the compensation owed to them for their services and appreciates payers’ efforts to be sure that happens in a timely manner.

We also call your attention to Executive Order 2020-083 issued by Governor Michelle Lujan Grisham today. A copy of Executive Order 2020-083 can be found on the Governor’s website and ours.

The OSI thanks you for your service to the state and the cooperation you have shown us on this critical matter. Please do not hesitate to contact our office should you have questions or concerns.