

1 NEW MEXICO INSURANCE NOMINATING COMMITTEE

2 May 22, 2025

3
4 OFFICE OF SUPERINTENDENT OF INSURANCE

4th Floor Conference Room

5 Albuquerque, New Mexico 87110

6 9:06 a.m.

7
8 DIANE DENISH, Chair

9 DELBERT JARAMILLO, Via Webex

10 NORA VAZQUEZ, Via Webex

11 ALLEGRA CARROLL CARPENTER, Via Webex

12 ISABELLE LOPEZ, Assistant Attorney General

13 STEPHEN THIES, General Counsel

14 TIMOTHY VIGIL, Deputy Superintendent

15 JENNIFER ROMERO, Law Clerk

16 PATRICIA SALAZAR, Paralegal

17 DOMINIC GRIEGO, Molina

18 BRENT MOORE, Moore Law PC

19 DEBBIE LUERA, Integrion

20 RACHEL RAY

21 ALICE KANE, Superintendent

22
23 REPORTED BY: PAUL BACA, CCR #112

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1 CHAIRWOMAN DENISH: Welcome everybody. We
2 will take a minute or two to introduce people. I am
3 Diane Denish. I am Chair of the Committee.

4 Allegra, you want to introduce yourself.

5 MS. CARPENTER: So I am Allegra Carpenter.
6 I am a Governor's appointment on the consumer side
7 of the balance of this beautiful Board.

8 My background, I am a life-long New
9 Mexican, and I am a trial lawyer.

10 CHAIRWOMAN DENISH: Nora.

11 MS. VAZQUEZ: My name is Nora Vazquez. I
12 am from Artesia. I work in human resources as the
13 director for local a oil and gas company, and I am a
14 legislative appointee.

15 CHAIRWOMAN DENISH: Delbert.

16 MR. JARAMILLO: I am an insurance agent
17 with Farmers Insurance in Belen. I was appointed by
18 legislature and I guess that's it.

19 CHAIRWOMAN DENISH: Jennifer.

20 MS. ROMERO: My name is Jennifer Romero.
21 I am a paralegal with OSI's Office of General
22 Counsel.

23 CHAIRWOMAN DENISH: Tim.

24 MR. VIGIL: Timothy Vigil, Deputy
25 Superintendent of New Mexico.

1 MS. LOPEZ: My name is Isabelle Lopez. I
2 am with the New Mexico Department of Justice.

3 CHAIRWOMAN DENISH: Anybody else you want
4 to introduce at the table?

5 MR. THIES: Good morning everyone.
6 Stephen Thies, OSI General Counsel.

7 MS. LUERA: Debbie Luera with Integrion
8 Group.

9 MS. RAY: My name is Rachel Ray.

10 MR. MOORE: Brent Moore. I am a lawyer in
11 Santa Fe. I represent a number of insurance trade
12 associations and insurance companies.

13 MR. GRIEGO: Dominick Griego here with
14 Molina Healthcare New Mexico.

15 MR. HERRERA: Joseph Herrera. I am staff
16 here in Albuquerque.

17 MS. SALAZAR: Patricia Salazar, paralegal
18 with General Counsel's Office.

19 CHAIRWOMAN DENISH: Thank you everybody.

20 The first item on the agenda for Board
21 members is approval of the agenda, which is not very
22 lengthy. So, is there a motion to approve the
23 agenda?

24 Allegra.

25 MS. CARPENTER: So moved.

1 CHAIRWOMAN DENISH: Did somebody second
2 it?

3 MS. VAZQUEZ: Nora, second.

4 CHAIRWOMAN DENISH: Okay. All in favor
5 say aye.

6 (Motion passes unanimously.)

7 CHAIRWOMAN DENISH: Next item is approval
8 of the minutes from the May 8, 2024. Can you
9 believe that, it has been a whole year, 2024
10 meeting. Time flies, doesn't it.

11 MS. CARPENTER: Move to approve the
12 minutes.

13 CHAIRWOMAN DENISH: Thank you. Is there a
14 second?

15 MS. VAZQUEZ: Second.

16 CHAIRWOMAN DENISH: Okay. We have a
17 motion and a second. All in favor say aye.

18 Okay. Motion passes.

19 (Motion passes unanimously.)

20 CHAIRWOMAN DENISH: Okay. Thank you
21 everybody.

22 The purpose of this meeting is to have a
23 legislative update on the 2025 session from the
24 Superintendent. For those who are in attendance,
25 you know the call of this committee is to interview

1 and hire a superintendent and if needed to do
2 something to remove a superintendent if that became.

3 So this is an informative meeting for the
4 members of our Board to just know more about what
5 the superintendent and the department have been
6 working on, and especially during the 2025 session.
7 And, it was a lively one.

8 MS. KANE: It was. And we are going to
9 show you the good, the bad and the ugly. So you
10 want to hit the first slide.

11 Well, we did -- this is just telling us.
12 We introduced or supported a number of bills. Four
13 OSI priority bills were past and signed into law.
14 We are going to be discussing a lot of what we
15 worked on in addition.

16 One of the things that we worked on, and
17 it started last year with SB15. It really was
18 reviewing transactions for hospitals and other
19 healthcare organizations. We thought SB15, which
20 was a compromise that was going to expire the end of
21 this 2025 situation, and the legislator asked us to
22 go out and do an outreach.

23 Senator Duhigg and Leader Szczepanski were
24 the sponsors, and they attended most of the outreach
25 meetings with us. We has stakeholder meetings, we

1 had public meetings. And part of that was
2 incorporated into the Bill. I worked with Jane
3 Wishner who had been the Governor's policy person to
4 put together the first bill, which was rather
5 comprehensive and followed a lot of what was in
6 Oregon and Nashbee. So we introduced a bill that
7 required disclosure and approval of new ownership
8 and control of hospitals and we also were looking at
9 provider consolidation as well.

10 In the bill we were going to consult with
11 the healthcare authority. OSI had expertise because
12 we did form approval of insurance transactions and
13 we had that knowledge. And as a matter of fact,
14 under SB15 we did review one transaction and
15 approved it last year. So, we were supposed to work
16 with the healthcare authority to determine the
17 health impact because that is in our area of
18 expertise on it. We were going to have pre-notice
19 conferences. And one of the things that came out of
20 the stakeholder meetings and the community meetings,
21 there was really a need for public comment and time
22 and information so they could comment.

23 And then there was going to be
24 post-transaction oversight. There was going for
25 been whistleblower protection for employees of the

1 healthcare providers if after the transaction
2 things -- they didn't follow the conditions if
3 conditions were but in place or there were some
4 issues.

5 And then there were enforcement provisions
6 which was not all in SB15.

7 The Bill was rather comprehensive. It
8 didn't get through judiciary, but Leader Szczepanski
9 used one of her special W bills to reintroduce a
10 little more focus just on hospital transactions.
11 And that, and Senator Duhigg also supported that.
12 And that did pass and the Healthcare Authority is
13 going to take the lead there but we are needed.
14 They will consult with OSI.

15 So the good news is we have a stronger
16 bill than SB15, not quite as comprehensive. The
17 provider side is really to review any Optum
18 consolidations which turns out in light of what is
19 going on and it is really important.

20 So I think all in all I think OSI played a
21 role in getting this whole review of transactions
22 and educated people on private equity coming in. So
23 I think -- I consider this is a win.

24 CHAIRWOMAN DENISH: Great.

25 MS. KANE: The next Bill I think the Fair

1 Plan Bill, Senator Wirth and Representative Vincent
2 were the sporters of that Bill. The Fair Plan, as
3 you know, I should have had our Chief Actuary here.
4 The number of nonrenewals and cancellations has gone
5 up dramatically in New Mexico for property
6 insurance.

7 We did a data call with the help of Guy
8 Carpenter, and I think -- I don't have the numbers
9 right in front of me, but I think it's around 8,000
10 to 10,000 nonrenewals in about two and a half years.
11 We can see the counties and it is by County, so we
12 can see the counties that were most affected and
13 obviously Lincoln was one of them affected even
14 before the fires.

15 So OSI, I believe there was a need to
16 increase limits and broaden the coverage. The Fair
17 Plan was instituted over the past in the '60s or
18 early '70s. It was really the result of federal
19 program to -- people weren't able to get property
20 coverage after the riots, so the federal government
21 gave money to States to open up Fair Plans. I think
22 38 states did it. We were one of them.

23 Our Fair Plan, I guess up until about
24 two years ago the coverage limits were \$250,000 for
25 residential. My predecessor, Jennifer Catechis went

1 to the Fair Plan Board and got it increased to 350.

2 We were looking around about what was
3 going on, mostly looking at Colorado which had
4 passed a Fair Plan. They did not have one, about
5 two years ago and sort of I had the most modernized
6 version of it because it was not coming out of the
7 riots, it was really coming out of the wildfire
8 meetings. Again, Colorado was having -- most of the
9 western states are having a real issue with wildfire
10 and cancellations and nonrenewals.

11 So we went to Senator Wirth and
12 Representative Vincent. And it was Representative
13 Vincent who had sent the first letter to the Fair
14 Plan Board. He comes out of Ruidoso and he had
15 asked the Fair Plan Board back in August to increase
16 the residential limits to 750,000. We thought it
17 was a great idea, my property and casualty group,
18 and we went to the Fair Plan Board in September,
19 basically asking for coverage limits to be increased
20 a million for residential and I think, what was it,
21 \$5 million for commercial with a 10 million-dollar,
22 you know, total policy limit for commercial.

23 As part -- when Senator Wirth and
24 Representative Vincent, we wanted a bipartisan
25 approach, so we compromised to 750,000 for

1 residential and 2 million for commercial with the
2 total commercial policy limits of 5 million.

3 We were looking to change the Board
4 composition. There were a number of States, but
5 many more States are having -- right now our Board
6 is proposed and introduced by industry except for
7 one member that I had. Jennifer went and got a
8 member or a designee for the OSI.

9 And so we were proposing that the
10 governing committee include nine appointed members,
11 half by the legislature, you know, four by the
12 legislature, four by the Governor and one by the
13 Superintendent. We were looking for expertise in
14 reinsurance, we wanted more consumer advocates, we
15 wanted product management, we wanted some actuarial
16 science and climate science expertise because this
17 is becoming a much more intense situation, in my
18 view.

19 We wanted the rates to be actuarially
20 sound. I think the Fair Plan in the past, for good
21 reason, had really been focused on low income
22 policyholders. But now the need seems to be much
23 broader in light of this whole climate shift. And
24 we think, OSI thinks and the industry thinks
25 mitigation is probably one of the big components

1 that could lessen the risk. And we have been
2 working with, they call it the International
3 Business and Health Safety Institute, which is
4 funded by the insurance industry that has been doing
5 work on hurricanes and whatever, and more recently,
6 in the last five years, on wildfire, and they had
7 mitigation standards.

8 As a matter of fact, another Bill was
9 passed where we got \$10 million for grants and the
10 grants are supposed to support mitigation according
11 to IBHS standards. And the basic on the
12 residential, basically what IBHS asks for is 5 feet
13 of nothing, not a rose bush, nothing, that is
14 flammable. Not wood mulch, whatever and that seems
15 to be very effective.

16 They also have screens for your vents.
17 And if you recall the California fires, the first
18 responders were basically saying, We can tell the
19 next house that is going to go up because we can see
20 the smoke coming out of the vents. Well, what
21 happens is the embers get carried more than a mile
22 with the winds and go in the vents and that causes
23 the home to go up. And then a Class A roof for fire
24 prevention, which is the last defense.

25 So that is what we were looking to do.

1 The Bill passed the Senate with only one vote
2 opposing. A substitute Bill was put in House
3 judiciary and it sort of failed there. As part of
4 the setting this up, Senator Wirth recommended that
5 I sign a provisional -- that OSI -- the
6 Superintendent of OSI sign a provisional increase in
7 coverage limits to 750, and that is effective until
8 June 30.

9 Yesterday, we had a meeting with the
10 governing committee on the rollout of increased
11 coverage limits and other issues. My provisional
12 increase was in a letter where I said I really want
13 to look at actuarial sound issues. I want to see a
14 raise in commercial limits, mitigation. So
15 mitigation pieces and a governance discussion.

16 So that is basically what happened
17 yesterday. I think we made some progress. I
18 think -- at this point, I think we have actuarial
19 sound rates approved. Guy Carpenter is putting
20 together an analysis of what the impact would be on
21 the Fair Plan if the commercial rates are raised to
22 pardon me, 2 million.

23 We discussed mitigation and how we would
24 do that. We discussed that the Fair Plan is a
25 residual market, which means an insurer of last

1 resort. So we want people who come in have to have
2 been rejected by the industry and then they were
3 talking about maybe three years and having them go
4 out into the market again to see, so we have -- you
5 know, this should be a bridge not a permanent place
6 for people to stay. So that is still in the works.

7 Again, we have great support in the Senate
8 and Senator Wirth is still very interested and
9 involved in this issue.

10 So the Bill didn't pass, but, again, I
11 think we have got real conversations going and
12 hopefully we will be able to help.

13 CHAIRWOMAN DENISH: Can we stop there and
14 see if anybody has any questions.

15 MS. KANE: Pardon me. Questions.

16 CHAIRWOMAN DENISH: I have one question
17 about the mitigation grants.

18 Were those specifically designated to any
19 area of the State or --

20 MS. KANE: Tim, you have been working
21 with --

22 MR. VIGIL: No, they weren't. But we are
23 thinking about how to utilize them because
24 mitigation of wildfire is really a community effort
25 and if you do it, you know, spots, you are not

1 getting the kind of effect that you want. So we are
2 working on the mitigation component.

3 CHAIRWOMAN DENISH: You can do that, so is
4 the department in charge of the grants and
5 distributing the grants.

6 MR. VIGIL: Yes.

7 CHAIRWOMAN DENISH: And communities can
8 apply for them?

9 MS. KANE: We have not put the program
10 together yet.

11 MR. VIGIL: We are working on it.

12 CHAIRWOMAN DENISH: You can do that
13 administratively.

14 MR. VIGIL: Yes.

15 MS. KANE: And another Bill that passed
16 was a 73 -- there is a task force that has been in
17 place about wildfires, and we have been named to it,
18 which we were not before. We have been working very
19 closely with forestry and Fire Marshal and, you
20 know, building code people to sort of -- because
21 everybody understands this has to be a system in a
22 sense, you know, new building codes, hardening of
23 current homes.

24 IBHS just came out with community
25 standards to help stop fuel that we are looking at.

1 So we are trying to pick up the latest science and
2 the latest solutions to lower the risk in
3 New Mexico.

4 The grants will probably just go to high
5 risk areas. I think initially, we have not decided,
6 but wildfire will probably be one of our first
7 issues. But hail actually causes more losses here
8 in New Mexico than wildfires. But that is an easier
9 one to fix, in one sense. You fix the roof and the
10 siding and the house is okay.

11 Wildfire if the house next to you has not
12 mitigated and you have, you still burn. So we are
13 really trying to get some concentration in all of
14 that.

15 CHAIRWOMAN DENISH: Let me see if any of
16 you other committee members have questions about
17 that Fair Plan or the grants or any of the things
18 she just went over?

19 Okay.

20 MS. KANE: I will say that eight other
21 states have already done grant programs mostly in
22 the south. The first successful one was called
23 Hardening Alabama.

24 MR. VIGIL: Strength in Alabama.

25 MS. KANE: Strength in Alabama. We have

1 the people that did that. We started talking to
2 them and they are coming out to New Mexico to talk
3 to us about how we might implement it. And to find
4 out where they were successful, where they made
5 mistakes. Again, we are trying to get the latest
6 ideas so we don't make -- so we can in a quick way
7 get New Mexico in the best of shape as we can.

8 So, again, not passed but we spent a lot
9 of time, we are still spending a lot of time on
10 this.

11 Subpoena Power. OSI did not have subpoena
12 power unless we were having a hearing or a, you
13 know, an actual procedure. But the reality is, the
14 way it should work, and this is why we got the
15 subpoena power, you want subpoena power when you do
16 data calls or you have other questions and you
17 really get the information to decide whether you
18 need to do a hearing or an investigation.

19 So most other States had this power. We
20 were concerned about it getting passed, but, again,
21 Senator Duhigg and Leader Szczepanski supported it
22 and it passed both houses and was signed by the
23 Governor with relatively, you know, little question
24 about the need.

25 So this will make us much more effective.

1 I am probably going to be creating a whole
2 compliance unit to deal with this, and so very
3 exciting for us so we can see things ahead of time.
4 So that was -- of course Stephen, since I met him I
5 kept on saying, you got to get me subpoena power and
6 he stayed there for ten hours making sure we got it,
7 along with other people.

8 I have to mention one thing that we did
9 differently. I really have to give credit to my
10 whole office. Before I think like one or two people
11 went to -- over to the round house, but we had the
12 people that were the experts like, you know, Roberta
13 Baca who had worked there was very helpful to lots
14 of people doing things. Melissa Robertson did an
15 awful lot on the property casualty. And here are
16 somethings that we were successful with. Viara, I
17 always butcher her name, Lanakieva who runs our life
18 and health division has been very helpful to Senator
19 Lopez in a number of other things. She was visible.

20 So I think the round house got a sense of
21 broader what OSI does and what we are trying to do.
22 And I just have to commit the hours that my people
23 spent and the nights that they spent there until
24 1:00 or 2:00 in the morning. I really have to
25 commend everybody. And I think we learned a lot.

1 When you interviewed me, I think you asked
2 did I know anything about the legislature process
3 and I said absolutely not, not in my wheelhouse
4 before. But we have learned a lot about getting,
5 getting sponsors, what committees or issues. Tim's
6 better half helped us a lot. His wife is the Chief
7 of Staff for Senator Wirth and helped us get up the
8 learning curve pretty quickly.

9 So, again, I think the round house knows a
10 lot more about OSI. I think they know a lot more
11 about my staff and what they do. So in that sense,
12 I think, again, we got some things passed but it was
13 a learning experience and I think we really
14 represented the agency well in the round house.

15 So that was -- I should have said that in
16 the beginning. Because this is not one woman show,
17 this is a whole agency show, and all our supporters.
18 I will say Senator Duhigg because we got to know her
19 through the outreach program understood some of the
20 other things that we needed, so she has been
21 helpful. Leader Szczepanski the same way. So I
22 think the relationships are pretty strong.

23 Prior Authorization. This was Debbie's
24 Bill.

25 MS. CARPENTER: Madam Chair, and

1 Superintendent, may I ask a question?

2 CHAIRWOMAN DENISH: Is that Allegra?

3 MS. CARPENTER: Yes. May I ask a question
4 about the subpoena matter? I apologize for not
5 having followed this Bill.

6 MS. KANE: This is about the subpoena
7 power, right?

8 MS. CARPENTER: Yes, Madam Chair. I am
9 just curious if you gleaned the Superintendent's
10 access to those communications, meaning they are
11 also subject to Freedom of Information Act?

12 MS. KANE: Off the top of my head, I don't
13 know but I will get that you that answer. Okay?
14 Sometimes they are confidential with the industry in
15 order to get them to participate in, like, data
16 calls and things along those lines.

17 The problem we were having is some
18 companies weren't responding at all and sometimes
19 the data we were getting was meaningless. So the
20 subpoena power is allowing us to go back and get
21 more data. We really were, you know, we were really
22 looking for data on cancellations and nonrenewals on
23 the wildfire side. That was our first place, but
24 there are other places we have been asking for data
25 calls and have not gotten good information on

1 replacement costs, you know, so I think this will be
2 really helpful.

3 Again, most other insurance departments
4 around the country have that subpoena power. I was
5 surprised when I came here that we didn't have it.
6 I forget what issue we first -- you first told me.

7 MR. THIES: There is a lot of different
8 issues that --

9 MS. KANE: It is a lot of different
10 issues.

11 MR. THIES: If I can add something to
12 that.

13 MS. KANE: Yes, please.

14 MR. THIES: As part of an investigation,
15 it is confidential as far as the investigation is
16 open. Once it is closed, either because we have
17 taken enforcement actions --

18 CHAIRWOMAN DENISH: Can you hear that,
19 Allegra? Can you hear what he is saying?

20 MR. THIES: If the request the subpoena is
21 associated with an active investigation, the
22 information we would receive would be confidential.
23 It will remain confidential until such time we
24 create an enforcement action or close the
25 investigation because there is no reasonable cause

1 to proceed with enforcement action.

2 MS. CARPENTER: And then it becomes
3 public?

4 MR. THIES: Yes, then it becomes public.

5 MS. CARPENTER: Thank you for that
6 clarification.

7 MS. KANE: That is why I have my general
8 counsel here.

9 Thank you, Stephen.

10 So this Bill, 39 was introduced or it was
11 really Debbie Armstrong, it was really a bill that
12 she was pushing. We supported it along with the
13 Healthcare Authority, helped rewrite it and it is
14 really to eliminate prior authorization for
15 off-label use of FDA approved drugs for rare
16 diseases.

17 The reason this is so important is that
18 there is never enough people that have a rare
19 disease that should not get FDA approval. Many
20 times there is off-label use for conditions. So it
21 prohibits prior authorization and step therapy for
22 medications that are prescribed for on-label or
23 off-label use for treatment of rare diseases or a
24 medical condition that effects fewer than 200,000
25 people.

1 That doesn't mean there isn't science that
2 is supporting it, but it is not an FDA approved
3 issue. And the doctor is usually, there are usually
4 articles or some other things that show that it's
5 been working, but it is not full FDA approval.

6 The updated medical necessity requirements
7 have to be completed within 24 hours in cases where
8 the condition may -- were not being treated, the
9 disease may seriously jeopardize a person's life or
10 health or affect the person's ability to regain
11 maximum function.

12 Again, we are pushing hard that medical
13 necessity determinations have to be done within a
14 specified time or they will be deemed automatically
15 approved.

16 Again, this received wide bipartisan
17 support. OSI was at all the hearings and it was
18 signed by the Governor.

19 The Group Capital Calculation/Liquidity
20 Stress Test. This is a very technical Bill that the
21 NAIC requires insurance requirements to have to meet
22 their accreditation standards. It is basically --
23 it is for large life insurance and it is basically
24 testing their investment portfolios to see that they
25 are adequate and are liquid enough to withstand, you

1 know, market gyrations and whatever.

2 Again, this was an OSI priority because we
3 are going to have our accreditation reviewed in a
4 year and a half. We are having a pre-accreditation
5 visit by the NAIC in June, so this was a big issue
6 for us.

7 Again, this is one that my people spent a
8 lot of late nights there trying to get this through
9 committees and then it also included a provision to
10 extend the examination periods for HMOs from three
11 to five years because we really didn't have the
12 staff to do it more frequently.

13 The Travel Insurance Act, again, that one
14 we introduced but one we worked on closely with the
15 Leader Sharer. He introduced the Bill, but it
16 really didn't conform to a lot of existing laws. So
17 an attorney on my staff spent a lot of time with
18 them, rewriting it and then we were able to support
19 it and it got bipartisan report and got through.

20 Zero Pay Claims. This really was a
21 problem for policyholders. Sometimes policyholders
22 would call and ask, Are we covered by -- is flood
23 insurance covered and they get a no. And it was
24 being considered a claim and we thought this was an
25 unfair claims practice so we had a bill that made it

1 an unfair claims practice to treat an inquiry as a
2 claim when no coverage applied and no payment was
3 made.

4 The Bill passed the House on the last
5 night of session. I don't know what hour they
6 stayed for that one, but it was a long time. But we
7 thought this was really an important Bill because
8 people were really getting hurt by it.

9 Another unsuccessful one but we did a lot
10 of work on it and we will probably get more
11 background. We really -- two or three States don't
12 allow you to use credit scores for auto insurance
13 because it is mandatory. It -- low credit scores
14 are usually tied to low income. It is
15 actuarially -- it can be actuarially justified but
16 it certainly impacts low income people and we
17 thought that if we could remove it, we had one of
18 the highest number of uninsured motorists in
19 New Mexico and we wanted to see if we could lower
20 the cost, we might lower the number of uninsured
21 because the insurers have to pay a cost for
22 uninsured. So we are probably going to go back with
23 that. But it was tabled in a seven to two vote.

24 CHAIRWOMAN DENISH: Whose Bill was that?

25 MS. KANE: HB80.

1 CHAIRWOMAN DENISH: Who was the sponsor?

2 MS. KANE: One of the representatives. I
3 am forgetting her name.

4 MR. VIGIL: Was it Armstrong?

5 MS. KANE: No.

6 MR. VIGIL: Thompson, Representative
7 Thompson.

8 MS. KANE: Thompson. So apologies.

9 And then Replacement Costs, we wanted --
10 again, we wanted to make sure insurer's pay
11 100 percent of replacement cost minus depreciation
12 when -- and any remaining amount up to replacement
13 cost upon completion of repairs.

14 It passed, we learned a lot, too. We got
15 things through some committees and other committees
16 getting them scheduled is really difficult. And the
17 Senate tax, Business, and Transportation Committee
18 who is one of those committees that it was difficult
19 to get out of committee so that is -- it sort of it
20 died there despite its first passage. We obviously
21 will go back on that.

22 Then one Bill that we couldn't get on the
23 Senate Judiciary Committee calendar but I think it's
24 really an important one based on what happened in
25 Ruidoso.

1 We wanted to require loss of coverage if
2 the risk was a proximate cause of wildfires or other
3 perils. For example, flooding following a wildfire
4 that caused mud damage. We had 800 homes destroyed
5 by the wildfire in Ruidoso but another 200 with mud
6 damage. And so we wanted to get that clear that
7 that would be covered or, you know, rocks come down
8 or trees fall down because there is no more holding.
9 So that is one of the things we are probably going
10 to do next, next year.

11 So I would say we learned a lot. We are
12 going to get better at committees and sponsors, we
13 hope, but it is an experience.

14 CHAIRWOMAN DENISH: Questions from anybody
15 on the Board?

16 I guess that means no.

17 Any questions up there? No, okay. Thank
18 you.

19 This was gusts up to 250 miles an hour.
20 It starts out slow, gusts up to 250 miles an hour.

21 MS. KANE: Again, I can't commend my staff
22 enough for all the effort and time they put into
23 this. And also it has been a huge learning
24 experience for all of us. And hopefully, you know,
25 some of these bills that we think are important we

1 will bring back next year unless we get a message it
2 is a short session, so we'll see.

3 CHAIRWOMAN DENISH: Yes, Allegra.

4 MS. CARPENTER: Madam Chair, and
5 Superintendent, I know this is a legislative update,
6 but I would like to make an inquiry, how are you
7 doing with staffing of your agency?

8 CHAIRWOMAN DENISH: I was just going to
9 ask that same question. Thank you.

10 Can you just tell us there has been some
11 changes?

12 MS. KANE: I will say fabulous, to be
13 honest. I think we went to SPO and got that
14 increase in salary around 15 percent across the
15 agency. I have been able to recruit -- first of
16 all, I made Tim a deputy and he has been amazing.

17 We now have a doctor on staff, a
18 pharmacist on staff. I know my Chief Actuary is
19 amazing. We are really thrilled with him. And, I
20 have a Chief Economist who is helping me with some
21 other issues at the NAIC and the IAS.

22 I was named to the policy development
23 committee at the IAS which really sort of sets
24 issues that ultimately come down and are implemented
25 in model laws at the NAIC that we have to pass. So

1 that's been very interesting and exciting. But I,
2 of course, caught COVID and couldn't go to the first
3 meeting and infected three of my staff members, but,
4 other than that, we have been fine.

5 CHAIRWOMAN DENISH: Allegra.

6 MS. CARPENTER: Since we have your IT
7 person here, I also wanted to inquire, Madam Chair,
8 and Superintendent. I have recently gotten into the
9 website and I have found it a little bit clunky and
10 hard to find data. And I am wondering how much of
11 this is being given towards that transparency and
12 the resources to making, you know, what you do, and
13 it is such a marvelous organization, making it more
14 accessible to consumers and providers and obviously
15 insurance company consumers as well.

16 MS. KANE: I am so glad you asked that
17 question. I don't know when you went into it, but
18 we have a whole task force that was put together and
19 we are trying to change it, not to put ourselves in
20 the shoes of the consumer to see what they are
21 looking for.

22 We put up a new version about three weeks
23 ago, three weeks ago and it was actually it was also
24 a problem. We had one person say they couldn't find
25 the agenda, but that was because we had the old link

1 as part of changing this.

2 So please go in and we will take any
3 suggestions that you have, but we are trying to get
4 more wildfire information up there, trying to get us
5 for people to understand where they can file
6 complaints. And we have given the resources, I
7 think. We will see if we need more, but it is going
8 to be a constant work in process. So, if you let us
9 know if you see some improvements and if there are
10 other things you would like us to look at, we are
11 totally open to that.

12 MS. CARPENTER: Would you guys mind,
13 again, because your IT person is here, I do have
14 some suggestions. I don't want to waste everybody's
15 time with them.

16 MS. KANE: He is our IT person.

17 MS. CARPENTER: If I could be put in touch
18 with this gentleman, I would be happy to give some
19 of my personal, my QA feedback.

20 MS. KANE: The team is an IT person, a
21 woman. We will put you in touch. And one of our
22 staff members who is actually been giving us a lot
23 of the substantive input, and then there is a whole
24 task force. So let me have them both contact you
25 and set up maybe a Teams call.

1 MS. CARPENTER: Thank you.

2 MS. KANE: Again, we knew it was a
3 problem. We sort of had to get through the hack
4 first and get our cyber security tight. We are in
5 the process of interviewing a new Chief Information
6 Officer and have we made the decision?

7 MR. VIGIL: We have made an offer.

8 MS. KANE: We have made an offer to
9 Michael Lord, who came to us from Doit, and who we
10 have been very impressed with and we will see if he
11 takes it. Right now he has been the interim CIO for
12 a couple of months.

13 We got very interesting candidates, to be
14 honest. We got someone from the military who I
15 thought was, you know, very impressive but was used
16 to a much tighter structure of how he operated in
17 and was given the requirements. We are trying to
18 struggle to create our own vision, so that has
19 really been going on. Again, I think that --

20 MS. CARPENTER: I would love to contribute
21 in this arena, I really truly would.

22 MS. KANE: Great. We will set something
23 up. You want to let us know when we are back from
24 Rome.

25 MS. CARPENTER: Two days.

1 MS. KANE: So maybe next week we will
2 contact you and see if we have our first sitdown.

3 CHAIRWOMAN DENISH: Any other questions
4 from the Board up there? Nora, Delbert.

5 MS. VAZQUEZ: No, I have no questions.

6 CHAIRWOMAN DENISH: Okay. Thank you. So
7 now we are on Item 5, which is public comment.

8 Is there anybody in the -- our visitors
9 that want to make public comment?

10 Next meeting. We have not set a next
11 meeting date. Most likely it will be sometime
12 pre-25 legislative session, or -- anyway we will
13 discuss that and we will get back to you.

14 We are looking -- I did want to mention
15 that we have two vacancies. We are working with the
16 Governor's office to fill some of the vacancies.
17 Dale moved to Colorado and Patty moved to the Board
18 of Regents.

19 So we do have a couple of vacancies. I
20 think they are industry vacancies, are they?

21 MS. KANE: They are Governor appointed
22 vacancies.

23 CHAIRWOMAN DENISH: So we will hopefully
24 have those filled by our next meeting.

25 Our requirements, though, we don't have to

1 have another meeting this year if we don't see the
2 need. So we will get back to you on that about
3 which brewery we are going to have our meeting in.

4 Are there any other questions, comments?

5 Is there a motion to adjourn up there?

6 Allegra.

7 MS. CARPENTER: No, no. I will give you a
8 motion to adjourn, Madam Chair. May I suggest that
9 I do think, and our former superintendent thought it
10 was a good idea to have quarterly meetings. I agree
11 with that concept.

12 CHAIRWOMAN DENISH: We don't want to waste
13 anybody's time and especially if people can't be
14 here in person, but we will discuss having, you
15 know, maybe a more frequent meeting, okay.

16 MS. CARPENTER: Thank you. Madam Chair.

17 CHAIRWOMAN DENISH: You make a motion to
18 adjourn?

19 MS. CARPENTER: And Allegra Carpenter,
20 motion to adjourn.

21 CHAIRWOMAN DENISH: Is there a second up
22 there?

23 MS. VAZQUEZ: I will second.

24 CHAIRWOMAN DENISH: All in favor say aye.
25 Opposed?

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(Motion passes unanimously.)

CHAIRWOMAN DENISH: Thank you all. Have a
great time up there, Allegra.

Thank you, Nora. Hope you will come see
and next time, and you, too, Delbert.

(Proceedings concluded at 9:47 a.m.)

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Date: May 22, 2025



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[motion - pharmacist]

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