

**NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the Superintendent of Insurance (“OSI” or “Superintendent”) will hold a public video/telephone hearing regarding the repeal and replace of rule 13.10.34 NMAC STANDARDS FOR ACCIDENT – ONLY, SPECIFIED DISEASE, HOSPITAL INDEMNITY, DISABILITY INCOME, SUPPLEMENTAL, AND NON-SUBJECT WORKER EXCEPTED BENEFITS. This hearing will commence on January 7, 2022 at 9:00 a.m. MST.

**PURPOSE OF THE PROPOSED RULES:** The purpose of these rules is to establish regulatory requirements for the subject excepted benefit plans and to enhance consumer understanding and protection.

**STATUTORY AUTHORITY:** Sections 59A-18, 59A-16 and 59A-23G-3 NMSA 1978.

**TO ATTEND THE HEARING:** Join via Video: <https://us02web.zoom.us/j/86375502923>  
Join via telephone: 1-312-626-6799  
Meeting ID: 863 7550 2923

The Superintendent designates Richard Word to act as the hearing officer for this rulemaking. Oral comments will be accepted at the public hearing from members of the public and other interested parties. Any updates concerning the hearing date, time, or location will be available by subscribing to the “Rulemaking and Ratemaking” newsletter at: <https://newsletter.osi.state.nm.us/>.

Copies of the Notice of Proposed Rulemaking and proposed new rules are available by electronic download from the OSI eDocket <https://edocket.osi.state.nm.us/guest/case-view/5707> or the or by requesting a copy by calling (505) 476-0333. Note: Due to the COVID-19 pandemic, the physical offices of the OSI remain closed to the public until further notice.

Written comments will be accepted through 4:00 p.m. January 7, 2022. Responses to written comments or oral comments will be accepted through 4:00 p.m. on January 18, 2022. All comments shall be filed electronically through the OSI eDocket <https://edocket.osi.state.nm.us/guest/case-view/5707> at or received by mail to:

OSI Records and Docketing, NM Office of Superintendent of Insurance  
1120 Paseo de Peralta, P.O. Box 1689, Santa Fe, NM 87504-1689.  
For help submitting a filing, please contact [OSI-docketfiling@state.nm.us](mailto:OSI-docketfiling@state.nm.us).  
The below docket number must be indicated on filed comments.  
Docket No. 2021-0084

**IN THE MATTER OF REPEALING AND REPLACING RULES CODIFIED AT 13.10.34 NMAC STANDARDS FOR ACCIDENT – ONLY, SPECIFIED DISEASE, HOSPITAL INDEMNITY, DISABILITY INCOME, SUPPLEMENTAL, AND NON-SUBJECT WORKER EXCEPTED BENEFITS**

All filings must be received between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday except on state holidays. The Superintendent will consider all oral comments and will review all timely submitted written comments and responses.

**SPECIAL NEEDS:** Any person with a disability requiring special assistance to participate in the hearing should contact Melissa Gutierrez at 505-476-0333 no later than ten (10) business days prior to the hearing.

DONE AND ORDERED this 30<sup>th</sup> day of November, 2021  
/S/RUSSELL TOAL