

**NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the Superintendent of Insurance (“OSI” or “Superintendent”) will hold a public video/telephone hearing to permanently adopt the emergency amendments to Sections 7, 8, 10, and 11 of 13.10.36 NMAC, published in Issue 9 of the NM Register on May 3. This hearing will commence on **June 27, 2022 at 9:00 a.m.**

**PURPOSE OF THE PROPOSED RULES:** OSI is amending this rule to create necessary procedures for distribution of funding authorized by the state to lower health care costs for consumers, and minimize coverage disruptions as the federal medicaid continuous coverage requirement expires as the COVID-19 public health emergency ends.

**STATUTORY AUTHORITY** Section 59A-23F-12 NMSA 1978.

**TO ATTEND THE HEARING:**

Join via Video: <https://us02web.zoom.us/j/2916274744>

Join via telephone: 1-312-626-6799

Meeting ID: 291 627 4744

The Superintendent designates R. Alfred Walker 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/5757> 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. June 27, 2022. Responses to written comments or oral comments will be accepted through 4:00 p.m. on July 8, 2022. All comments shall be filed electronically through the OSI eDocket <https://edocket.osi.state.nm.us/guest/case-view/5757> 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. 2022-0036

**IN THE MATTER OF PERMANENTLY ADOPTING THE EMERGENCY AMENDMENTS TO RULE 13.10.36 NMAC HEALTH CARE AFFORDABILITY FUND**

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 3<sup>rd</sup> day of May, 2022  
/S/RUSSELL TOAL