

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Superintendent of Insurance (“OSI” or “Superintendent”) will hold a public video/telephone hearing regarding proposed amendments to **13.19.4 NMAC MULTIPLE EMPLOYER WELFARE ARRANGEMENTS**. This hearing will commence on **October 6, 2022, at 9:00 a.m.**

PURPOSE OF THE PROPOSED RULES: The proposed rule will prohibit self-funded Multiple Employer Welfare Arrangements (“MEWAs”) from operating in New Mexico and clarify the regulatory obligations for fully insured MEWAs and bona fide associations.

STATUTORY AUTHORITY: Sections 59A-1-8, 59A-1-18, 59A-2-9, 59A-4-14, 59A-10-3, 59A-15-17, 59A-15-20, 59A-16-1, 59A-16-27, 59A-18-13.2, 59A-18-13.3, 59A-18-13.5, 59A-23-3, and 59A-23C-3 NMSA 1978.

TO ATTEND THE HEARING:

Join Zoom Meeting:

<https://us02web.zoom.us/j/82847942202?pwd=anhLT3B6VEtmMjNKUGhVb0pTYjFSQT09>
Meeting ID: 828 4794 2202
Passcode: 562215

Attend via Telephone: 346-248-7799

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/5786> or by requesting a copy by calling (505) 372-9135.

Written comments will be accepted through 4:00 p.m. on October 6, 2022. Responses to written comments or oral comments will be accepted through 4:00 p.m. on October 17, 2022. All comments shall be filed electronically through the OSI eDocket <https://edocket.osi.state.nm.us/guest/case-view/5786> or mailed to:

OSI Records and Docketing
NM Office of Superintendent of Insurance
P.O. Box 1689, Santa Fe, NM 87504-1689

For help submitting a filing, please contact OSI-docketfiling@state.nm.us.
The below docket number must be indicated on filed comments.

Docket No. 2022-0065
IN THE MATTER OF REPEALING AND REPLACING RULES CODIFIED AT 13.19.4 NMAC
MULTIPLE EMPLOYER WELFARE ARRANGEMENTS

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 Freya Tschantz at 505-372-9135 no later than ten (10) business days prior to the hearing.

DONE AND ORDERED this 23rd day of August, 2022
/S/RUSSELL TOAL