

NOTICE OF PROPOSED RULEMAKING

The New Mexico Workers' Compensation Administration ("WCA") will conduct an in-person public hearing on the adoption of new WCA Rules on:

Friday, October 21, 2022, 1:30 p.m., Workers' Compensation Administration, 2410 Centre Avenue SE, Albuquerque, NM 87106

A copy of the proposed changes may be found on the WCA website at: <http://www.workerscomp.nm.gov/>. For a copy by e-mail, contact the WCA General Counsel Office at gc.clerk@state.nm.us. For a copy by mail, please submit a self-addressed, stamped envelope with your request to WCA General Counsel Office, 2410 Centre Ave. SE, Albuquerque, NM 87106. Comments should be sent to WCA General Counsel Office, 2410 Centre Ave. SE, Albuquerque, NM 87106.

Comments may be made at the public hearing and written comments will be accepted until 5:00pm on October 28, 2022. The Director will take all comments into consideration.

Purpose and summary of the Proposed Rule:

The WCA is proposing new rules regarding Part 1, General Provisions (minor changes); Part 4, Claims Resolution (being repealed and replaced to allow for changes to electronic filing requirements; revised mediation procedures and requirements; and revisions to admissibility of evidence standards in adjudicated cases); Part 5, Enforcement and Administrative Investigation (revisions to admissibility of evidence standards and service of summons procedures); Part 6, Judicial Selection (revisions to processes in selecting workers' compensation judges); Part 7, Payments for Health Care Services (being repealed and replaced to add definitions; revise provider and payer ground rules; revise out-of-state provider approval qualification process; revise utilization review referral process; revise processes applicable to non-clinical services including a request for medical records); Part 12, Uninsured Employers' Fund (raising UEF current indemnity and medical cap with effective dates, other language changes applicable to the UEF; and Part 13, Controlled Insurance Plans (minor changes). All proposed rules will take effect January 1, 2023.

The Director of the WCA has authority to adopt reasonable rules pursuant to Section 52-5-4 NMSA 1978 (2003).

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any form of auxiliary aide or service to attend or participate in the hearing or meetings, please contact the General Counsel Office at gc.clerk@state.nm.us. Or you may inquire about assistance through the New Mexico relay network at 1-800-659-1779 or <https://newmexico.networkofcare.org/>.