

### 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:

Thursday, July 24, 2025, 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@wca.nm.gov](mailto:gc.clerk@wca.nm.gov). 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 or [gc.clerk@wca.nm.gov](mailto:gc.clerk@wca.nm.gov).

Comments may be made at the public hearing, and written comments will be accepted until 5:00pm on August 21, 2025. The Director will take all comments into consideration.

**Purpose and summary of the Proposed Rules:**

The WCA is proposing to amend its rules regarding: Part 1, General Provisions (technical definition changes to account for the WCA implementing an upgrade to electronic data interchange and a repeal and replace to the current electronic data interchange (EDI) rule located in Part 2; Part 2, Data Reporting and Safety Requirements (repeal and replace of 11.4.2.8, Data Collection, to implement the WCA's upgrade to the International Association of Industrial Accident Boards and Commissions (IAIABC) EDI 3.1 standard applicable to the electronic filing of required first and subsequent reports of injuries to the WCA); Part 4, Claims Resolution (adding new rule giving the director appointment authority over a chief judge and defining the duties of the chief judge; and refining existing rule to establish a 90-day time limit after which the WCA clerk of the court shall no longer serve pleadings on attorneys of record following a case being settled or adjudged); Part 7, Payments for Health Care Services (revising the current rule to reflect that a payer's permitted reasons to contest paying a medical bill in an explanation of benefits form will no longer be outlined in Part 7 but in the WCA's annual billing instructions; and raising permitted deposition charges for health care providers to better compensate physicians for their time in deposition); and Part 12, Uninsured Employers' Fund (amending existing rule to comport with proposed EDI changes in Part 2 by clarifying the UEF's obligations to file required EDI with the WCA when UEF is named in a worker's complaint).

All proposed rules will take effect November 7, 2025.

Technical requirements for the EDI 3.1 standard are available on WCA website and include an "event table;" "elements requirements table;" an "edit matrix" table; and a FROI/SROI "sequencing table." The WCA website also include a "frequently asked questions" guide in support of the EDI 3.1 upgrade.

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 attend or participate in the hearing or meetings, please contact the General Counsel Office at [gc.clerk@wca.nm.gov](mailto:gc.clerk@wca.nm.gov). Or you may inquire about assistance through the New Mexico relay network at 1-800-659-1779 or <https://sharenm.org/relay-new-mexico>.