

**TITLE 6            PRIMARY AND SECONDARY EDUCATION**  
**CHAPTER 50       INSURANCE**  
**PART 15            INSURANCE FRAUD**

**6.50.15.1            ISSUING AGENCY:** New Mexico Public School Insurance Authority.

[6.50.15.1 NMAC - Rp, 6 NMAC 50.15.1, 09/01/2014]

[The address of the New Mexico Public School Insurance Authority is 410 Old Taos Highway, Santa Fe, New Mexico 87501.]

**6.50.15.2            SCOPE:** This part applies to all school districts, charter schools, other educational entities, eligible employees, eligible retired employees, eligible dependents, eligible participating entity governing body members and persons or entities authorized to participate in the authority's employee benefits, risk-related and due process reimbursement coverages.

[6.50.15.2 NMAC - Rp, 6 NMAC 50.15.2, 09/01/2014]

**6.50.15.3            STATUTORY AUTHORITY:** Subsection D of Section 22-29-7 NMSA 1978, directs the authority to promulgate necessary rules, regulations and procedures for the implementation of the New Mexico Public School Insurance Authority Act, Section 22-29-1 et seq. NMSA 1978.

[6.50.15.3 NMAC - Rp, 6 NMAC 50.15.3, 09/01/2014]

**6.50.15.4            DURATION:** Permanent.

[6.50.15.4 NMAC - Rp, 6 NMAC 50.15.4, 09/01/2014]

**6.50.15.5            EFFECTIVE DATE:** September 1, 2014 unless a later date is cited at the end of a section.

[6.50.15.5 NMAC - Rp, 6 NMAC 50.15.5, 09/01/2014]

**6.50.15.6            OBJECTIVE:** The objective of this part is to establish appropriate penalties for insurance fraud in order to deter fraudulent conduct and thus minimize unnecessary expense to the authority and its participating members.

[6.50.15.6 NMAC - Rp, 6 NMAC 50.15.6, 09/01/2014]

**6.50.15.7            DEFINITIONS:** [RESERVED]

**6.50.15.8            INSURANCE FRAUD:**

**A.            Forfeiture of rights to coverage and benefits.** Anyone who knowingly or willfully:

(1) makes any false or fraudulent statement or representation as to any material fact in or with reference to any application for insurance or other coverage; or

(2) for the purpose of obtaining any money or benefit, presents or causes to be presented a false or fraudulent claim, or any proof in support of such a claim for payment of loss under a policy; or

(3) prepares, makes or subscribes to a false or fraudulent account, certificate, affidavit or proof of loss, or other document, with intent that the same may be presented or used in support of such a claim; or

(4) makes any false or fraudulent statements or representations on or relative to any application for a policy, for the purpose of obtaining any benefit.

shall forfeit all employee and dependent rights to coverage or benefits.

**B.            Termination of coverage:** In the event an official or employee of a participating school district, charter school or other educational entity knowingly or willfully engages in any of the actions listed in Subsection A of 6.50.15.8 NMAC, the employer shall take the appropriate disciplinary action against the offending official or employee. If such appropriate disciplinary action is not taken, the authority reserves the right to terminate coverage for the participating school district, charter school or other educational entity.

[6.50.15.8 NMAC - Rp, 6 NMAC 50.15.8, 09/01/2014]

**History of 6.50.15 NMAC:**

**History of Repealed Material:**

6 NMAC 50.15, Insurance Fraud, filed 10/1/97 - Repealed effective 09/01/2014.