

STATE OF NEW MEXICO OFFICE OF SUPERINTENDENT OF INSURANCE



INTERIM SUPERINTENDENT OF INSURANCE

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ADDITIONAL INSTRUCTIONS FOR THE SMALL BUSINESS HEALTH INSURANCE PREMIUM RELIEF INITIATIVE RECONCILIATION PROCESS

Issued on March 7, 2023

On February 7, 2023, the New Mexico Office of Superintendent of Insurance provided detailed [reconciliation instructions](#) to issuers participating in the Small Business Health Insurance Premium Relief Initiative (or “the Initiative”) during the 2022 Program Year. This letter provides additional details about the reconciliation process for the 2022 Program Year.

Small Business Initiative Attestation Form

The “[Small Business Initiative Attestation Form](#)” is the form issuers must include when submitting the “Annual Reporting for SBPRI” template, which can be found on the Initiative’s [landing page](#). Issuers must upload a signed copy of this form to SERFF by March 15, 2023, and upload an updated form anytime the issuer submits additional data. A current signed copy of this form must be included with any hearing requests. A representative who has reviewed the data and a senior executive must sign the form attesting that they have reviewed the data being submitted and believe it to be an accurate representation of payments under the program. If you are submitting confidential information to SERFF you must file a request for confidential filing. [Click here](#) to access a request for the Confidential Status Form.

Data Review Period: March 15, 2023 to May 12, 2023

After issuers submit data to OSI on March 15, 2023, OSI will review data and contact issuers if any questions or issues arise. OSI will attempt to resolve any issues before the “Notice of Reconciliation Amounts” is issued by May 12, 2023.

Notice of Reconciliation Amounts and Payment Process

OSI will submit the “Notice of Reconciliation Amounts” to issuers by May 12, 2023. If an issuer owes payments back to OSI, the company can elect to submit a check to OSI or have the amount owed subtracted from the payment to the issuer during the payment period in June 2023. If the issuer wishes to submit a check to OSI, a representative must notify the agency within two business days of

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receiving the “Notice of Reconciliation Amounts” so that OSI can provide the company with a W-9.

All payments must be submitted by June 15, 2023. It is the responsibility of the representative listed on the organization’s Attestation Form to ensure the accuracy of the organization’s payment information. If payment information needs to be updated, please contact Shannon Chapman at Shannon.Chapman@osi.nm.gov.

Hearing Request for a Dispute of Reconciled Amounts for the Initiative

Issuers may request a hearing to dispute the reconciled amounts in accordance with §59A-4-15 NMSA. Hearing requests must be based on a final determination of the amount of premium relief payments. Hearing requests must be made in accordance with 13.1.5.9 NMAC. If an issuer wishes to request a hearing to address a dispute with the amounts in the Notice of Reconciliation, the company must submit the request for hearing no later than May 19, 2023. The hearing will be scheduled within 30 days of the date of the request. “[Form SBPRI Hearing Data Program Year 2022](#)” must be filed in eDocket (<https://edocket.osi.state.nm.us/>) prior to any scheduled hearing. Issuers must file a motion requesting confidentiality of any confidential information. The hearing request must pertain to the actual discount/credit provided by an issuer to small businesses during the Program Year 2022. Hearing decisions for the 2022 Program Year are the final determination of payments under the Initiative. If there are any questions regarding hearing process, please contact Cass Brulotte, Life & Health Attorney, at cass.brulotte@osi.nm.gov. The Office of Legal Counsel can also be reached at: <https://www.osi.state.nm.us/pages/bureaus/legal/>.

Signed:

Shannon Chapman
HCAF Financial Coordinator