

**FIFTIETH LEGISLATURE  
FIRST SESSION, 2011**

March 10, 2011

Mr. Speaker:

Your **CONSUMER AND PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

**SENATE CORPORATIONS AND TRANSPORTATION COMMITTEE  
SUBSTITUTE FOR SENATE BILLS 38 & 370, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 13, strike lines 5 through 13 in their entirety and insert in lieu thereof the following new subsections:

"A. The board shall create a plan of operation containing provisions to ensure the fair, reasonable and equitable administration of the exchange.

B. The board shall provide for public notice and hearing prior to approving the plan of operation."

2. On page 13, line 17, after the comma, insert "approved waiver of federal law,".

3. On page 13, line 24, after the semicolon, insert "and".

4. On page 14, strike lines 2 through 4 in their entirety.

5. On page 15, line 5, strike "January 1, 2012" and insert in lieu thereof "July 1, 2013".

6. On page 17, strike lines 7 through 16 and insert in lieu thereof the following section:

**"SECTION 7. [NEW MATERIAL] RULES--DISPUTE RESOLUTION.--**

A. The superintendent shall promulgate rules necessary to implement and carry out the provisions of the New Mexico Health Insurance Exchange Act.

B. The superintendent shall promulgate rules for resolving disputes arising from the operation of the exchange in accordance with the provisions of the New Mexico Health Insurance

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Exchange Act, including with respect to:

(1) the eligibility of an individual, employer or carrier to participate in the exchange;

(2) receiving an exemption from any state or federal individual requirement to retain minimum essential coverage; and

(3) the exchange's collection and transmission to the applicable qualified health plans any applications for enrollment and all premium payments or contributions made by or on behalf of qualified individuals or qualified employers participating in the exchange.".,

and thence referred to the **APPROPRIATIONS AND FINANCE COMMITTEE**.

Respectfully submitted,

\_\_\_\_\_  
Gail Chasey, Chairwoman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 3 For 2 Against

Yes: 3

No: Anderson, Kintigh

Excused: None

Absent: None

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