

HOUSE JOINT MEMORIAL 49

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Richard D. Vigil

A JOINT MEMORIAL

REQUESTING THE SUPERINTENDENT OF INSURANCE TO EXAMINE THE PRACTICES AND PROCEDURES OF THE PUBLIC SCHOOL INSURANCE AUTHORITY AND TO MAKE RECOMMENDATIONS CONCERNING THE NEED FOR OVERSIGHT OF THE AUTHORITY BY THE PUBLIC REGULATION COMMISSION.

WHEREAS, the public school insurance authority was created by the legislature in 1986 to serve as a purchasing agency for public school districts, post-secondary educational entities and charter schools; and

WHEREAS, risk coverages provided through the authority include property insurance, liability insurance, workers' compensation, student catastrophic insurance, student accident insurance, boiler and machinery insurance and underground storage tanks coverage; and

WHEREAS, charter schools and school districts with an

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1 enrollment of sixty thousand students or less are required to  
2 participate in the authority and must pay premiums to maintain  
3 insurance coverage; and

4 WHEREAS, despite the performance of reviews by the  
5 authority to identify concerns that might result in the  
6 nonpayment of claims, school districts continue to be denied  
7 payment of claims for reasons not identified during the  
8 authority's reviews; and

9 WHEREAS, determinations concerning coverage, premiums and  
10 claims are all decided by the authority with no oversight by a  
11 state regulatory agency; and

12 WHEREAS, the public regulation commission is currently  
13 responsible for regulating insurance companies and other  
14 entities engaged in risk assumption;

15 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
16 STATE OF NEW MEXICO that the superintendent of insurance be  
17 requested to examine the practices and procedures of the public  
18 school insurance authority and to make recommendations  
19 concerning the need for oversight of the authority by the  
20 public regulation commission; and

21 BE IT FURTHER RESOLVED that the superintendent of  
22 insurance be requested to present findings and recommendations  
23 to the legislative education study committee no later than  
24 November 1, 2010; and

25 BE IT FURTHER RESOLVED that copies of this memorial be

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1 transmitted to the superintendent of insurance and the director  
2 of the legislative education study committee.

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