

STATE OF NEW MEXICO

OFFICE OF SUPERINTENDENT OF INSURANCE

SUPERINTENDENT OF INSURANCE
Russell Toal



DEPUTY SUPERINTENDENT
Jennifer A. Catechis

BULLETIN 2022-017

SEPTEMBER 23, 2022

**TO: ALL HEALTH INSURANCE PLANS OFFERING MAJOR MEDICAL
COVERAGE IN NEW MEXICO**

**RE: PROHIBITION ON COST-SHARING FOR TESTING AND HEALTH CARE
SERVICES RELATED TO MONKEYPOX**

On August 4, 2022, the U.S. Department of Health and Human Services declared the monkeypox virus a public health emergency. Please see, <https://www.hhs.gov/about/news/2022/08/04/biden-harris-administration-bolsters-monkeypox-response-hhs-secretary-becerra-declares-public-health-emergency.html>.

Section 13.10.13.12 NMAC prohibits cost-sharing requirements related to testing or delivery of health care for any condition that is the subject of a declared public health emergency. No individuals shall be charged cost-sharing (coinsurance, deductible, or copayments) for testing or treatment related to monkeypox that is received during the declared the public health emergency.

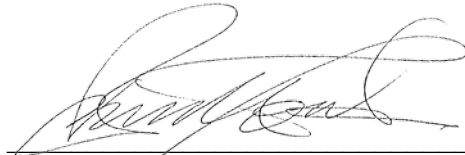
Health plans and health insurance issuers shall reimburse any individuals who were erroneously charged cost-sharing for monkeypox since August 4, 2022. On-going violations of Section 13.10.13.12 NMAC shall be subject to enforcement actions to remedy those violations which include, but are not limited to, administrative penalties of up to \$10,000 per violation, and suspension of any certificate of authority or license issued under the insurance code.

To report a violation of this provision, file a complaint with OSI's Managed Health Care Bureau at <https://www.osi.state.nm.us/pages/misc/mhcb-complaint> or call 855-427-5674.

Monkeypox vaccines are available. Individuals interested in getting a vaccine can register at monkeypoxnm.org for a confidential consultation to see if the vaccine is recommended for them. For general information about monkeypox, go to www.nmhealth.org/about/phd/idb/mpv/.

Please direct any questions concerning this guidance to cass.brulotte@state.nm.us.

ISSUED this 23rd day of September, 2022.



RUSSELL TOAL
Superintendent of Insurance