STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT OF INSURANCE

SUPERINTENDENT OF INSURANCE
Russell Toal

DEPUTY SUPERINTENDENT
Jennifer A. Catechis

BULLETIN 2021-005

March 31, 2021

TO: ALL INSURERS LICENSED TO SELL HEALTH INSURANCE IN NEW MEXICO

RE: FILING LIMIT EXTENSIONS FOR COVID-19 RELATED CLAIMS

The New Mexico Office of Superintendent of Insurance ("OSI") is concerned that some health care insurers may be denying providers' claims for COVID-19 related services based on late submission. As we all know, conditions created by the public health emergency ("PHE"), e.g., high demand for services, remote work for staff, provider reassignment and inaccurate or missing insurance coverage information at the time of service, all contributed to a high likelihood that some billings for COVID-19 related services will be or were delayed and may not be submitted within a payer's standard filing limit for original claims. The purpose of this Bulletin is to ensure that all providers, including the New Mexico Department of Health, are allowed sufficient time for the submission of claims for COVID-19 services.

The OSI directs every health insurer licensed in New Mexico to allow every enrolled network provider one full calendar year from the date of service to file a claim for any COVID-19 related testing, vaccination or treatment if the date of service occurs during the PHE, which began on March 12, 2020. Insurers are further directed to reprocess any COVID-19 claim previously denied as untimely.

This extension of the filing limit is in line with the New Mexico Human Services Department's recent Letter of Direction to its Medicaid Managed Care Organizations that extended the Medicaid filing limit to one full calendar year for COVID-19-related services. In addition, the one full calendar year filing limit is Medicare's standard filing limit. Therefore, the OSI believes

this requirement is reasonable and will advance New Mexico's efforts to combat COVID-19 and protect the health of our communities and our essential providers.

Thank you for your cooperation during this challenging time.

ISSUED this 31st day of March, 2021.

RUSSELL TOAL
Superintendent of Insurance