



State of New Mexico  
**WORKERS' COMPENSATION ADMINISTRATION**

**MICHELLE LUJAN GRISHAM**  
GOVERNOR

**LORETTA LOPEZ**  
DIRECTOR

**RE: APPROVAL OF OUT OF STATE HEALTH CARE PROVIDER**

The WCA rules at 11.4.7.10 NMAC set out the requirements for obtaining approval by the Director for an out of state health care provider (HCP). If you want a HCP in another state to treat your workers' compensation conditions, you may ask the Director of the WCA to approve your HCP. If the insurance company has already paid this HCP, then approval is automatic. If that is not the case and you want to ask the Director to approve the HCP, please file the following documents with the WCA Clerk of Court pursuant to 11.4.7.10 NMAC:

1. Application to the Director
2. Summons for Application to the Director
3. Affidavit of Health Care Provider
4. Order Approving Out of State Health Care Provider

Once your HCP has completed the Affidavit, submit it with the Application to the Director, with the Summons and proposed Order.

If the Insurer agrees, your adjuster or its attorney can sign the Order. If the Insurer does not agree, you must file a Request for Setting asking the Director to schedule a hearing to hear from all sides on the issue.

**The Director's approval of an out of state health care provider means only that the HCP may provide services to you. It does not mean that the out of state health care provider is an authorized provider in your claim or that the provider's care will be paid for by the insurance company. If there is a dispute about the authorized health care provider or whether the medical care is reasonable and necessary, these issues will be decided by a workers' compensation judge.**

Parties with questions may call the Ombudsman Hotline at 505-841-6894 or toll free at (866) 967-5667.

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