

October 16, 2024

Michael Holt, General Counsel
State of New Mexico Workers' Compensation Administration
2410 Centre Ave SE
Albuquerque, NM 87106

Attorney Holt, Director Doucette, and the New Mexico Workers' Compensation Administration,

Thank you for holding a hearing on the proposed changes to, Title 11, Chapter 4, Part 7 of the New Mexico Administrative Code. We appreciate the opportunity to comment and share several concerns that Coventry and our partners have with the proposed regulations as they are currently written.

We are interested in these proposed rules because at Enlyte/Coventry we maintain the largest directly contracted property and casualty focused healthcare provider network. Our organization maintains compliance with state regulations for our contracted partners and has an interest in a smooth and streamlined process to ensure the greatest overall outcome for injured workers.

Under subsection D(3) of the proposed changes on page 5, we have concerns with the language requiring good faith payment or the contesting of a medical claims within 30 days of receipt of a bill for reasonable and necessary services. This 30-day deadline places a heavy burden on claims administrators, who are already dealing with overwhelming workloads, to meet an ambitious turnaround time or incur significant penalties.

To negate or minimize these untimely claim processing fees and more accurately reflect real world claims handling situations, we prefer a less restrictive timeframe for processing claims. Coventry would suggest setting a standard greater than 30 days for contesting a bill or for timely payment without penalty.

A second item relates to the use of the term "explanation of benefits" in the rule in sections D(2) and the newly created D(3). The term "explanation of benefits" is more commonly used in the parlance of group health insurance. For workers compensation claims, a more accurate and understood term would be "explanation of review". This term allows for the actions of the payor's claims administrators to be considered and a thorough explanation of any adjustment, change, or denial of the bill to be included.

Thank you again for taking the time to consider our concerns. If you have any questions or require any clarification, please do not hesitate to reach out we would be happy to assist or provide additional information.



Steven Peters
Director, Government Relations
Coventry, an Enlyte Company