



Policy Title: Open Meetings Act Resolution

Issue Date: June 7, 2013

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March 17, 2017
March 18, 2016
March 31, 2015
February 14, 2014

RESOLUTION NO. 2018-1

A RESOLUTION DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS OF THE NEW MEXICO HEALTH INSURANCE EXCHANGE

WHEREAS, NMSA 1978, § 10-15-1 *et seq.*, as amended, known as the Open Meetings Act, provides in part that the formulation of public policy or the conduct of business by vote shall not be conducted in closed meetings, and that all meetings of a quorum of members of any board, commission, or other policy-making body of any agency or authority of any county, municipality, district or any political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations, or ordinances, discussion of public business or taking any action within the authority or the delegated authority of any board are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act; and

WHEREAS, the Open Meetings Act further provides that any meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs, and

at which a majority or quorum of the body is in attendance, and any closed meeting shall be held only after reasonable notice to the public of its meetings as required by the Open Meetings Act and that the affected body shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body; and

WHEREAS, the New Mexico Health Insurance Exchange Act, enacted by Laws 2013, Chapter 54, created the New Mexico Health Insurance Exchange and the Board of Directors of the New Mexico Health Insurance Exchange, and provided that the Exchange and the Board shall operate consistent with the provisions of the Open Meetings Act.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW MEXICO HEALTH INSURANCE EXCHANGE THAT, IN ACCORDANCE WITH THE OPEN MEETINGS ACT:

1. All regular, special, and emergency meetings of the New Mexico Health Insurance Exchange Board of Directors (Board) shall be held as follows:
 - a. Regular Meetings: Regular meetings of the Board shall be held as determined by the call of the Chair, and notice to the public and to the Board of any and all regular meetings shall be given at least seven (7) business days in advance of any meeting of a quorum of the members of the Board held for the purpose of taking any action within the authority of the Board. A notice shall be posted in a conspicuous and appropriate place at the administrative offices of the Exchange, located at 7601 Jefferson St NE, Suite 160, Albuquerque, New Mexico 87109, and shall be posted on the Exchange website, at least seven (7) business days prior to the public meeting. Notice shall also be provided to newspapers of

general circulation and broadcast stations licensed by the Federal

Communications Commission that have made a written request for such notices.

- b. Special Meetings: Special meetings may be scheduled at the call of the Chair at such time and place as in the opinion of the Chair a special meeting should take place to consider and take action on Exchange business. Notice of a special meeting shall be posted in a conspicuous and appropriate place at the administrative offices of the Exchange, located at 7601 Jefferson St NE, Suite 160, Albuquerque, New Mexico 87109, and shall be posted on the Exchange website, at least seventy-two (72) hours prior to the special meeting. Notice shall also be provided to newspapers of general circulation and broadcast stations licensed by the Federal Communications Commission that have made a written request for such notices.
- c. Emergency Meeting: Emergency meetings may be scheduled at the call of the Chair to consider any matter that could not have been anticipated and that threatens the health, welfare, or safety of the citizens of New Mexico if not addressed immediately by the Board. Emergency meetings may be conducted at a time and place designated by the Chair. Notice of emergency meetings shall be posted in a conspicuous and appropriate place at the administrative offices of the Exchange, located at 7601 Jefferson St NE, Suite 160, Albuquerque, New Mexico 87109, and shall be posted on the Exchange website, at least twenty-four (24) hours prior to the emergency meeting, if possible. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible under the circumstances. Notice of meetings shall be provided to broadcast stations

licensed by the Federal Communication Commission and newspapers of general circulation that have made a written request for notices. Within ten (10) days of taking action on an emergency matter, the Board shall report to the attorney general's office the action taken and the circumstances creating the emergency.

d. Agendas: Any notice for meetings of the Board shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting, or information on how the public may obtain a copy of an agenda. At least seventy-two (72) hours before a regular or special meeting the agenda shall be made available at the administrative offices of the Exchange, located at 7601 Jefferson St NE, Suite 160, Albuquerque, New Mexico 87109, and shall be posted on the Exchange website.

2. **BE IT FURTHER RESOLVED**, that the Board may recess and reconvene a meeting to a later day if, prior to recessing, the Board specifies the date, time, and place for continuation of the meeting, and immediately following the recessed meeting posts notice of the date, time, and place of the reconvened meeting on or near the door of the place where the original meeting was held and at the administrative offices of the Exchange, located at 7601 Jefferson St NE, Suite 160, Albuquerque, New Mexico 87109. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.

3. **BE IT FURTHER RESOLVED**, that a member of the Board may participate in a meeting of the public body by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference

telephone can be identified when speaking, all participants are able to hear each other at the same time, and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

4. **BE IT FURTHER RESOLVED**, that notwithstanding any provision contained herein, the Board may establish such additional notice requirements as may be deemed necessary and advisable, so long as the notice requirements meet or exceed the notice requirements established in the Open Meetings Act.

PASSED, APPROVED, AND ADOPTED this 16th day of March, 2018.

NEW MEXICO HEALTH INSURANCE EXCHANGE BOARD

Approved by:

A handwritten signature in blue ink, appearing to read "J. Damron MD".

Dr. James R. Damron
Chair