

### **Carrier Appeal Process**

A party can appeal an order of disapproval issued by the Superintendent of Insurance to a district court within 30 days of the filing of the decision. See NMSA §59A-4-20.

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The exceptions, which include rate cases for health care insurance, allow a limited review before the NM Public Regulation Commission (PRC). At the district court, the decision can be overturned on the same basis as decisions from the PRC: (1) the agency acted fraudulently, arbitrarily or capriciously; (2) the final decision was not supported by substantial evidence; or (3) the agency did not act in accordance with law. See NMSA § 39-3-1.1D.

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