



## **Auditors seek transparency for public health insurance agency**

SANTA FE – State Auditor Wayne Johnson has asked a judge to let his office do its job and audit a government entity that provides health coverage to New Mexicans denied coverage by big insurance companies.

Johnson's office filed a motion for summary judgment asking a judge to forego a trial in the lawsuit filed by the New Mexico Medical Insurance Pool, which has not been transparent with its finances and operations.

Attorneys with the Auditor's office said the judge has enough information to make a decision on the law without a prolonged legal process.

The court filing states, "NMMIP is about as far removed as one can get from a private non-profit group of charitably-minded insurance companies."

It goes on to say, "This Court should not permit NMMIP to continue to hide behind a strained interpretation of straightforward statutory language in order to avoid the transparency and accountability to which the public and policymakers are entitled."

The previous auditor, Tim Keller, started the process of auditing the NMMIP and Johnson continues this process to bring the state entity into compliance with state law.

In June this year, the NMMIP changed its previous position acknowledging its status as a state agency and decided that they are a private organization and refused to cooperate with a state audit.

The NMMIP then sued the State Auditor’s office to block any efforts by this or any future auditor from auditing the NMMIP’s operation.

“The insurance pool provides a valuable service to New Mexicans refused coverage by big insurance companies,” Johnson said. “This insurance pool is a basic safety net for people with cancer and other serious illnesses. The insurance industry can’t make a profit insuring people with serious illnesses, so state legislators created a public program so people don’t languish without coverage when denied by these insurance companies. The notion that this is a charity, like the Make-A-Wish Foundation or the United Way, is just silly.”

Johnson explained that the Internal Revenue Code, Per Diem and Mileage Act, Procurement Code, Open Meetings Act, Inspection of Public Records Act, and the Public Records Act are state and federal laws that apply specifically to government entities, and the NMMIP follows them all.

“The only Act they seem determined to dodge is the Audit Act,” Johnson said. “That begs the question, ‘What are they hiding?’”

***The Motion for Summary judgement can be found at: [www.saonm.org/media/uploads/Motion for Summary Judgment.pdf](http://www.saonm.org/media/uploads/Motion_for_Summary_Judgment.pdf)***

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