

NMSA 15-7-2(B)

The risk management division shall apportion to each state agency its contributions toward the purchase of insurance or for the providing of coverage for any risk not insured. The amount of contribution by each agency shall be determined by the risk management division and shall reflect the respective risks of each agency. All contributions toward the purchase of insurance or for the coverage of any risk not insured shall be paid into the public liability fund, the workers' compensation retention fund, the public property reserve fund or the group self-insurance fund, as appropriate. *The department of finance and administration may collect or transfer funds from each agency to cover insurance or other costs, pursuant to the risk management division's instructions.*

1.6.2.11 SPECIAL PREMIUMS, EXCEPTION:

A. The director may augment or decrease any entity premium calculated in accordance with this rule upon his written finding that:

(1) the risk to be covered involves a degree or type of hazard not contemplated by the existing coverage; or

(2) the premium developed in accordance with this rule does not produce a premium corresponding to the risk; or

(3) an entity's individual exposures or experience accounts for 35 percent or more of the total for a given line of coverage.

B. The director shall state in writing the premium he deems appropriate to cover the risk, giving the justification of the amount.

C. The director shall notify in writing the entity which he proposes to charge a special premium pursuant to this section, setting forth his findings, the proposed premium and his justification thereof. The entity shall have thirty days after mailing of such notice to respond in writing to the director. If the entity makes no timely response to the director's notice, the premium shall become effective thirty days after mailing of the notice. If the entity makes a timely response, the director shall review the entity's response with the risk management advisory board in open meeting at which the entity shall have the right to appear and be heard. Thereafter, the premium or any modification shall become effective upon the director's written notice to the entity.

[6/14/1997; [1.6.2.11](#) NMAC - Rn, 1 NMAC 6.2.11; 9/15/2004]