

Customer Workers Compensation Jurisdictional Resource – New Mexico

Issue	Mandatory	What & How	Impact	State Forms
Timely Reporting of Claims	Yes The employee has 15 days in which to report an injury.	New Mexico Form E-1 - Employer's First Report of Injury or Illness is filed with the State. This can be filed by the employee or employer.	If the claim is not reported within 15 days file can be reviewed for possible denial based on reporting requirement.	New Mexico Form E-1 - Employer's First Report of Injury or Illness
Drug Free Workplace	No Drug testing is not mandatory.	The employer can request a drug test be completed at the first office visit.	A claim can not be denied for positive drug test. Must prove this was the sole cause of injury.	N/A
Managed Care Law	No	An administrator can establish a contract with an organization for managed care or with providers of health care services within the network. If the employee objects we must terminate MCM. If an attorney is involved must obtain permission from the attorney.	The injured worker stays within the network and continues to treat with a network physician for the continued discount. Faster resolution of claim and return to work.	N/A
Timely Reporting of Out of Work Status	No	The insurance carrier has 30 days to determine compensability if claim is being denied.	Timely reporting insures the employee is paid benefits when due. There is a seven day waiting period in New Mexico. The New Mexico Form E-6 - Notice of Benefit Payment is filed when within 14 days of first payment.	New Mexico Form E-6 - Notice of Benefit Payment

Timely Reporting of Employee Returning to Work	Yes Injured worker required to supply employer with updated work status after every appointment.	Work status provided via email, phone or fax will ensure the information gets to Travelers in a timely manner.	Any delay on the part of the employer or employee providing an updated work status will result in possible overpayment to the injured worker.	N/A
Bona Fide Job Offers	No	All job offers from the employer should be in writing.	If the employee does not comply with a job offer benefits can be discontinued or reduced.	N/A
Wage Statements	Yes	Wages are requested from employer. Comp benefits are based on 26 weeks prior to the date of injury.	Wage statement not required on medical only claim unless impairment rating is assigned.	N/A
Posting of Notices	Yes New Mexico Notice of Accident Form must be posted on employer's premises.	The New Mexico Notice of Accident Form must be posted and kept posted in a conspicuous place stating they have complied with all rules and regulations.	Failure to post New Mexico Notice of Accident Form can subject employers to penalties.	New Mexico Notice of Accident Form

The Travelers Indemnity Company
and its property casualty affiliates
One Tower Square
Hartford, CT 06183

travelers.com

.....
This material does not amend, or otherwise affect, the provisions or coverages of any insurance policy or bond issued by Travelers. It is not a representation that coverage does or does not exist for any particular claim or loss under any such policy or bond. Coverage depends on the facts and circumstances involved in the claim or loss, all applicable policy or bond provisions, and any applicable law. Availability of coverage referenced in this document can depend on underwriting qualifications and state regulations.

© 2009 The Travelers Companies, Inc. All rights reserved. CE - 10149 New 8-09