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**New Mexico Health Insurance Exchange**  
**Albuquerque, New Mexico**

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*Financial Statements  
and  
Independent Auditor's Report  
December 31, 2019 and 2018*

**REDW** LLC  
CPAs | Advisors

# New Mexico Health Insurance Exchange

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## Independent Auditor's Report

Board of Directors  
New Mexico Health Insurance Exchange

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the business-type activities and aggregate remaining fund information of the New Mexico Health Insurance Exchange (the "Exchange"), as of and for the years ended December 31, 2019 and 2018, and the related notes to the financial statements, which collectively comprise the Exchange's financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditor's Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### ***Opinion***

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the business-type activities and aggregate remaining fund information of the New Mexico Health Insurance Exchange as of December 31, 2019 and 2018, and the changes in financial position and cash flows thereof for the years then ended, in accordance with accounting principles generally accepted in the United States of America.

### **Other Matters**

#### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

#### **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated March 24, 2020, on our consideration of the Exchange's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Exchange's internal control over financial reporting and compliance.

REDW LLC  
Albuquerque, New Mexico  
March 24, 2020

Required Supplementary Information  
Management's Discussion and Analysis

# **New Mexico Health Insurance Exchange**

## **Management's Discussion and Analysis**

### **December 31, 2019 and 2018**

#### **Introduction**

As management of the New Mexico Health Insurance Exchange (the "Exchange"), we offer the readers of the Exchange's financial statements this narrative overview and analysis of the financial activities of the Exchange for the fiscal year ended December 31, 2019, with comparisons to 2018 and 2017, where appropriate. Please read this discussion and analysis in conjunction with the Exchange's financial statements, which follow this section.

The Exchange is a quasi-governmental entity organized pursuant to the New Mexico Health Insurance Exchange Act (the "Act"), which replaces the New Mexico Health Insurance Alliance Act that was created by the State of New Mexico. The purpose of the Exchange is to provide qualified individuals and qualified employers with increased access to health insurance in the State.

#### **Financial Highlights**

- As of December 31, 2019, assets exceeded liabilities by \$19.0 million, which represents an increase of approximately \$2.2 million from 2018. The largest portion of the net position, approximately \$18.7 million or 98.5%, is unrestricted and may be used meet the Exchange's ongoing financial obligations. This component of net position is not constrained through debt covenants, enabling legislation, or other legal requirements. The remaining balance of net position, approximately \$0.3 million or 1.5%, reflects the Exchange's investment in capital assets and is generally not available for future spending.
- Total assets were \$21.2 million and \$18.0 million as of December 31, 2019 and 2018, respectively, mainly consisting of cash, cash equivalents and investments.
- Total liabilities were \$2.2 million and \$1.1 million as of December 31, 2019 and 2018, respectively, consisting primarily of accounts payable.
- Total operating revenues were \$19.7 million and \$17.2 million for the years ended December 31, 2019 and 2018, respectively. Operating revenues represent assessments on insurance carriers in accordance with the Financial Sustainability Plan outlined in the Exchange's Plan of Operation, as approved by the Board of Directors (the "Board").
- Total operating expenses were \$18.7 million and \$15.0 million for the years ended December 31, 2019 and 2018, respectively, which were related to the day-to-day operations of the Exchange.
- Nonoperating revenues (expenses) were \$1.2 million and \$(0.1) million for the years ended December 31, 2019 and 2018, respectively, and consists primarily of net investment income (loss). The increase of approximately \$1.1 million relates primarily to unrealized gains recognized on the Exchange's investment portfolio during the year.

# **New Mexico Health Insurance Exchange**

## **Management's Discussion and Analysis**

### **December 31, 2019 and 2018**

#### **Overview of the Financial Statements**

The financial statements have been prepared using the economic resources measurement focus and the accrual basis of accounting in accordance with generally accepted accounting principles. Accordingly, the Exchange presents the following three financial statements:

- The *Statements of Net Position* present information on the Exchange's assets and liabilities, with the differences between the assets and liabilities reported as net position. Over time, increases or decreases in net position serve as a useful indicator of whether the financial position of the Exchange is improving or deteriorating.
- The *Statements of Revenues, Expenses and Changes in Net Position* present information reflecting how net position changed during the year. All changes in net position are reported when the underlying event giving rise to the change occurs, regardless of timing of related cash flows. Thus, revenues and expenses are reported for some items that will only result in cash flows in future or prior periods.
- The *Statements of Cash Flows* present information showing how the Exchange's cash balances changed during the year. The cash flows are separately detailed for operating activities, noncapital financing activities, capital and related financing activities, and investing activities.

In 2019, the Exchange implemented GASB Statement No. 84, *Fiduciary Activities*. This Statement established new criteria for identifying fiduciary activities and how such activities should be reported. After evaluating this Statement, the Exchange determined that the New Mexico Health Insurance Exchange 401(k) Plan (the "Plan") is a fiduciary component unit and should be reported as a pension trust fund in the financial statements. As a result, the Exchange also presents a fiduciary fund to report resources held for the benefit of employees participating in the Plan. The resource held in the fiduciary fund is not reflected in the Exchange's financial statements because they are not available to support its operations or activities. The accounting for the fiduciary fund is similar to that used for enterprise funds.

The notes to the financial statements provide additional information that is essential to a full understanding of the data provided in the financial statements. The notes can be found immediately following the financial statements.

**New Mexico Health Insurance Exchange**  
**Management's Discussion and Analysis**  
**December 31, 2019 and 2018**

**Statement of Net Position**

The following shows condensed statements of net position as of December 31:

	<u>2019</u>	<u>2018</u>	<u>2017</u>
<b>Assets</b>			
Current assets	\$ 20,953,616	\$ 17,861,090	\$ 16,544,573
Capital assets, net	<u>284,987</u>	<u>108,349</u>	<u>271,584</u>
Total assets	<u>\$ 21,238,603</u>	<u>\$ 17,969,439</u>	<u>\$ 16,816,157</u>
<b>Liabilities and Net Position</b>			
Current liabilities	<u>\$ 2,242,164</u>	<u>\$ 1,149,321</u>	<u>\$ 2,201,752</u>
Total liabilities	<u>\$ 2,242,164</u>	<u>\$ 1,149,321</u>	<u>\$ 2,201,752</u>
<b>Net Position</b>			
Net investment in capital assets	284,987	108,349	271,584
Unrestricted	<u>18,711,452</u>	<u>16,711,769</u>	<u>14,342,821</u>
Total net position	<u>18,996,439</u>	<u>16,820,118</u>	<u>14,614,405</u>
Total liabilities and net position	<u>\$ 21,238,603</u>	<u>\$ 17,969,439</u>	<u>\$ 16,816,157</u>

The \$3.1 million increase in current assets during 2019 is primarily a result of the Exchange accumulating excess cash balances received from carrier assessments. When considered advantageous, available cash balances are invested across several permitted asset classes in accordance with the approved Investment Policy Statement. See Note 4 to the financial statements for more information on the Exchange's investments.



**New Mexico Health Insurance Exchange**  
**Management's Discussion and Analysis**  
**December 31, 2019 and 2018**

**Statement of Revenues, Expenses, and Changes in Net Position**

The following shows condensed statements of revenues, expenses, and changes in net position for the years ended December 31:

	<u>2019</u>	2018	2017
<b>Operating Revenues</b>			
Carrier assessments	<u>\$ 19,673,026</u>	<u>\$ 17,236,701</u>	<u>\$ 14,688,045</u>
<b>Operating Expenses</b>			
Federal platform user fee	<b>6,769,007</b>	5,314,400	2,909,845
Technology and project management	<b>3,778,521</b>	2,726,114	1,589,382
Consumer and stakeholder engagement and support	<b>3,590,482</b>	3,405,250	4,880,791
Salaries and employee benefits	<b>2,743,470</b>	2,138,330	1,788,096
Operations	<b>892,770</b>	713,355	798,426
Professional services and board	<b>634,761</b>	437,487	424,861
Plan management	<b>297,266</b>	230,525	370,111
Total operating expenses	<u><b>18,706,277</b></u>	<u>14,965,461</u>	<u>12,761,512</u>
Operating income	<u><b>966,749</b></u>	<u>2,271,240</u>	<u>1,926,533</u>
<b>Nonoperating Revenues (Expenses)</b>			
Investment income (loss), net	<b>1,209,072</b>	(65,627)	394,158
Gain on disposal of capital assets	<b>500</b>	100	250
Total nonoperating revenues (expenses)	<u><b>1,209,572</b></u>	<u>(65,527)</u>	<u>394,408</u>
Change in net position	<b>2,176,321</b>	2,205,713	2,320,941
Net position, beginning of year	<u><b>16,820,118</b></u>	<u>14,614,405</u>	<u>12,293,464</u>
<b>Net position, end of year</b>	<u><b>\$ 18,996,439</b></u>	<u>\$ 16,820,118</u>	<u>\$ 14,614,405</u>

Beginning after January 1, 2015, under provisions in the Patient Protection and Affordable Care Act (ACA), a state shall ensure its exchange has sufficient funding to support ongoing operations. According to the Exchange's Financial Sustainability Plan outlined in its Plan of Operations, the Exchange elected to generate funding by charging assessments on carriers to support its ongoing operations. Funding generated through carrier assessments shall be in an amount necessary solely for the administrative costs of the Exchange, primarily through

# **New Mexico Health Insurance Exchange**

## **Management's Discussion and Analysis**

### **December 31, 2019 and 2018**

assessing all health insurance carriers operating in the State of New Mexico, with the exception of those specifically exempted by NMSA 1987 § 59A-23F-4(B).

The Exchange recognizes assessments on insurance carriers during the year as operating revenues in the statement of revenues, expenses, and changes in net position. Operating revenues were \$19.7 million and \$17.2 million for the years ended December 31, 2019 and 2018, respectively. The \$2.5 million increase in operating revenues is primarily a result of an increase in the Exchange's approved operating budget during 2019.

Total operating expenses were approximately \$18.7 million and \$15.0 million, resulting in operating income of \$1.0 million and \$2.3 million in 2019 and 2018, respectively.

The \$1.1 million increase in nonoperating revenues during 2019 is primarily due to the performance of the Exchange's investments during the year, in which unrealized gains were recorded in the equity mutual fund component of the portfolio.

#### **Capital Assets**

Capital assets are those assets used in the performance of the Exchange's functions. At December 31, 2019 and 2018, the Exchange had \$284,987 and \$108,349, respectively, invested in capital assets, net of accumulated depreciation. These investments in capital assets include furniture and fixtures, office equipment, computer software, and computer equipment. Additional information on the Exchange's capital assets can be found in Note 5 to the financial statements.

#### **Economic Factors and Next Year's Budget**

Under the ACA, all states are required to operate an exchange. Those states that are either unwilling or unable to operate a state-based exchange defer to the federal government for all such operations.

In 2013, the New Mexico State legislature passed the New Mexico Health Insurance Exchange Act, which served as the enabling legislation for establishment of a state-based exchange. As a provision of the act, the Exchange's Board was established to make governing decisions for the body. In 2013, the Board advised the Centers for Medicare and Medicaid services (CMS) that the state intended to establish a state-based exchange (SBE), and thus, were granted the legal associated designation by the federal government. In 2015, after nearly two years of attempting to build the appropriate technology infrastructure to operate as a state-based exchange, the Board decided to discontinue with the build due to unanticipated and increasing costs. As a result, the Exchange leadership entered into negotiations with the federal government to establish a new legal designation that would recognize the state as a hybrid model: state-based exchange on the federal platform (SBE-FP).

# **New Mexico Health Insurance Exchange**

## **Management's Discussion and Analysis**

### **December 31, 2019 and 2018**

In late 2016, the state was granted the new legal designation SBE-FP. In addition, in 2016 CMS issued a Notice of Benefit and Payment Parameters (NBPP) that included a fee schedule for using the federal technology for states that were not operating their own state-based exchange platforms, which then applied to New Mexico. The NBPP indicated that SBE-FP states would be subject to a fee equal to 1.5% of exchange premiums in 2016 and 2017; 2% in 2018; and 3% in 2019. It should be noted, however, that New Mexico was able to obtain an agreement with CMS that they would not be subject to the user fee in 2016. New Mexico was the only state to obtain successfully such a waiver.

Thus, New Mexico's fee to use the federal individual exchange technology platform was \$0 for 2014, 2015, and 2016. In 2017, the federal platform user fee totaled \$2,909,845; in 2018, the total fee increased to \$5,314,400; and by 2019, the fee increased to \$6,769,007. The user fee for 2020 has been reduced to 2.5% of exchange premiums and estimated to cost \$6.0 million.

Given these perpetual fee increases combined with the decreasing costs associated with establishing a state technology platform, the Board voted in September 2018 to pursue again a state-based exchange. In addition to the 2019 operating budget of \$19.7 million, the Exchange and Board also approved a 2019 capital budget of \$20,639,800 for the associated design, development and implementation (DD&I) costs of the state-based exchange, understanding that the DD&I costs in 2020 are estimated at \$23 million. During the two-year development period, the Exchange will still be required to pay the SBE-FP user fee, however, once developed, the Exchange expects the cost of the state-based exchange to be lower in cost than the SBE-FP user fee by 2023. In early 2019, the Exchange began procuring a new technology vendor and seeking a new legal designation. The Board voted during the 2<sup>nd</sup> calendar quarter of 2019 to add another year to the development period for the primary reason of realizing efficiencies expected to be gained from upgrades in the IT technology at the New Mexico Human Services Department (NMHSD) that will facilitate a smoother integration with Medicaid eligibility determination processes. Additionally, the 2019 budget was reduced to reflect a three-year project term as well as a more favorable outcome in the procurement process.

#### **Contacting the Exchange's Financial Management**

This financial report is designed to provide the New Mexico Health Insurance Exchange and its customers with a general overview of the Exchange's finances and to show the Exchange's accountability for the money it receives. If you have any questions about this report or need additional financial information, contact:

New Mexico Health Insurance Exchange  
7601 Jefferson NE, Suite 120  
Albuquerque, New Mexico 87109  
(505) 314-5200

## Financial Statements

**New Mexico Health Insurance Exchange**  
**Statements of Net Position**  
**December 31,**

	<b>2019</b>	2018
<b>Assets</b>		
Current assets		
Cash and cash equivalents	\$ 8,775,651	\$ 7,502,131
Investments	12,023,703	10,149,588
Premiums due	33,876	125,381
Accrued interest	19,771	20,572
Prepaid expenses and other assets	100,615	63,418
Total current assets	20,953,616	17,861,090
Noncurrent assets		
Capital assets, net of accumulated depreciation	284,987	108,349
Total assets	\$ 21,238,603	\$ 17,969,439
<b>Liabilities and Net Position</b>		
Current liabilities		
Accounts payable	\$ 1,940,775	\$ 866,359
Premiums due to carriers	126,004	137,685
Accrued liabilities	67,351	63,609
Compensated absences	108,034	81,668
Total current liabilities	2,242,164	1,149,321
<b>Net Position</b>		
Net investment in capital assets	284,987	108,349
Unrestricted	18,711,452	16,711,769
Total net position	18,996,439	16,820,118
Total liabilities and net position	\$ 21,238,603	\$ 17,969,439

The accompanying notes are an integral part of the financial statements.

**New Mexico Health Insurance Exchange**  
**Statements of Revenues, Expenses and Changes in Net Position**  
**For the Years Ended December 31,**

	2019	2018
<b>Operating Revenues</b>		
Carrier assessments	<u>\$ 19,673,026</u>	<u>\$ 17,236,701</u>
<b>Operating Expenses</b>		
Federal platform user fee	6,769,007	5,314,400
Technology and project management	3,778,521	2,726,114
Consumer and stakeholder engagement and support	3,590,482	3,405,250
Salaries and employee benefits	2,743,470	2,138,330
Operations	892,770	713,355
Professional services and board	634,761	437,487
Plan management	<u>297,266</u>	<u>230,525</u>
Total operating expenses	<u>18,706,277</u>	<u>14,965,461</u>
Operating income	<u>966,749</u>	<u>2,271,240</u>
<b>Nonoperating Revenues (Expenses)</b>		
Investment income (loss), net	1,209,072	(65,627)
Gain on disposal of capital assets	<u>500</u>	<u>100</u>
Total nonoperating revenues (expenses)	<u>1,209,572</u>	<u>(65,527)</u>
Change in net position	2,176,321	2,205,713
Net position, beginning of year	<u>16,820,118</u>	<u>14,614,405</u>
<b>Net position, end of year</b>	<u><b>\$ 18,996,439</b></u>	<u><b>\$ 16,820,118</b></u>

The accompanying notes are an integral part of the financial statements.

**New Mexico Health Insurance Exchange**  
**Statements of Cash Flows**  
**For the Years Ended December 31,**

	2019	2018
<b>Cash flows from operating activities</b>		
Cash received from carrier assessments	\$ 19,673,026	\$ 17,236,701
Cash paid to suppliers for goods and services	(14,678,855)	(13,748,004)
Cash paid to employees for service	<u>(2,713,362)</u>	<u>(2,119,561)</u>
Net cash provided by operating activities	<u>2,280,809</u>	<u>1,369,136</u>
<b>Cash flows from capital and related financing activities</b>		
Purchase of capital assets	(342,746)	(19,089)
Proceeds from disposal of capital assets	<u>500</u>	<u>100</u>
Net cash used in capital and related financing activities	<u>(342,246)</u>	<u>(18,989)</u>
<b>Cash flows from investing activities</b>		
Purchase of investments	(2,323,096)	(191,053)
Proceeds from sales of investments	1,205,624	240,000
Interest and dividends received	<u>452,429</u>	<u>372,740</u>
Net cash (used in) provided by investing activities	<u>(665,043)</u>	<u>421,687</u>
Net increase in cash and cash equivalents	1,273,520	1,771,834
Cash and cash equivalents, beginning of year	<u>7,502,131</u>	<u>5,730,297</u>
<b>Cash and cash equivalents, end of year</b>	<u>\$ 8,775,651</u>	<u>\$ 7,502,131</u>

The accompanying notes are an integral part of the financial statements.

**New Mexico Health Insurance Exchange**  
**Statements of Cash Flows — continued**  
**For the Years Ended December 31,**

	2019	2018
<b>Reconciliation of operating income to net cash provided by operating activities</b>		
Operating income	\$ 966,749	\$ 2,271,240
Adjustments to reconcile operating income to net cash provided by operating activities		
Depreciation expense	166,108	182,324
Changes in operating assets and liabilities		
Premiums due	91,505	(90,019)
Accrued interest	801	(2,565)
Prepaid expenses and other assets	(37,197)	60,587
Accounts payable	1,074,416	(682,517)
Premiums due to carriers	(11,681)	(388,683)
Accrued liabilities	3,742	3,804
Compensated absences	26,366	14,965
Net cash provided by operating activities	<u>\$ 2,280,809</u>	<u>\$ 1,369,136</u>
 <b>Supplemental schedule of noncash investing activities</b>		
Change in fair value of investments	<u>\$ 756,643</u>	<u>\$ (438,367)</u>

The accompanying notes are an integral part of the financial statements.



## Fiduciary Fund

**New Mexico Health Insurance Exchange**  
**Statements of Fiduciary Net Position – Pension Trust Fund**  
**December 31,**

	<b>2019</b>	<b>2018</b>
<b>Assets</b>		
Investments	\$ <b>771,565</b>	\$ 501,175
Notes receivable from participants	<u><b>12,076</b></u>	<u>26,047</u>
Total assets	<u><b>\$ 783,641</b></u>	<u>\$ 527,222</u>
<b>Net Position</b>		
Restricted for pension benefits	<u><b>\$ 783,641</b></u>	<u>\$ 527,222</u>
Total net position	<u><b>\$ 783,641</b></u>	<u>\$ 527,222</u>

**The accompanying notes are an integral part of the financial statements.**

**New Mexico Health Insurance Exchange**  
**Statements of Changes in Fiduciary Net Position – Pension Trust Fund**  
**For the Years Ended December 31,**

	<b>2019</b>	<b>2018</b>
<b>Additions</b>		
Contributions		
Participant	\$ 139,722	\$ 102,853
Employer	112,468	84,310
Investment income		
Interest and dividend income	24,054	25,965
Net change in fair value of investments	79,292	(45,644)
Total additions	355,536	167,484
<b>Deductions</b>		
Benefits paid to participants	97,094	96,408
Administrative expenses	2,023	1,584
Total deductions	99,117	97,992
Change in net position	256,419	69,492
Net position, beginning of year	527,222	457,730
<b>Net position, end of year</b>	<b>\$ 783,641</b>	<b>\$ 527,222</b>

The accompanying notes are an integral part of the financial statements.

# **New Mexico Health Insurance Exchange**

## **Notes to the Financial Statements**

### **December 31, 2019 and 2018**

#### **1) Organization**

##### Organization and Operations

The New Mexico Health Insurance Exchange (the “Exchange”) is a quasi-governmental entity organized pursuant to the New Mexico Health Insurance Exchange Act (the “Act”), New Mexico Statutes Annotated 1978, 59A-23F-1 through 23F-8. The Exchange was authorized by the New Mexico Legislature in 2013 and began operations shortly thereafter on April 28, 2013. The Act replaces the New Mexico Health Insurance Alliance that was created by the State of New Mexico in 1994. The purpose of the Exchange is to provide qualified individuals and qualified employers with increased access to health insurance.

The Act provides that the Exchange is a governmental entity for purposes of the Tort Claims Act (New Mexico Statutes Annotated [1978] 41-4-1 to 41-4-27), but neither the Board of Directors (the “Board”) nor the Exchange shall be considered a governmental entity for any other purpose. However, given that the Exchange Board consists of members that are appointed pursuant to the Act, it meets the criteria for being considered a governmental entity; therefore, the Exchange must apply the accounting and financial reporting standards set by the Governmental Accounting Standards Board (GASB).

The Act was amended by Senate Bill 294 during the 2019 Legislative Session. This amendment provided that the Exchange is also a governmental entity for purposes of the Governmental Conduct Act, Gift Act, Sunshine Portal Transparency Act, Whistleblower Protection Act, and the Procurement Code.

The Act was further amended by House Bill 100 that was passed during the 2020 Regular Legislative Session and signed by the Governor. The primary amendments outline power and duties of the Exchange, many of which are requirements under federal law. Some of these amendments will protect New Mexico and the Exchange depending on what Supreme Court decision is rendered in *Texas v Azar*. Additionally, the legislation expands the authority of the Board to work with the Superintendent of Insurance and stakeholders to develop standardized plans. Standardized plans do many things, but fundamentally seek to provide more consistency in shopping for a plan. They can also afford benefits such as, but not limited to, more predictable cost-sharing, more services before deductible, and manage out-of-pocket expense for consumers. Finally, House Bill 100 tasks the Exchange with doing regular market analyses to understand coverage and the uninsured in New Mexico.

##### Operations

The Exchange was established as a result of the federal government passing the Patient Protection and Affordable Care Act (ACA) with the goal of providing access to quality health care for those without insurance, individuals who cannot afford health insurance

# **New Mexico Health Insurance Exchange**

## **Notes to the Financial Statements**

### **December 31, 2019 and 2018**

offered at their place of employment, small businesses with 2 – 50 employees, and those that purchase their own insurance but would like more options.

All health insurance carriers and health maintenance organizations authorized to conduct business in New Mexico, and that meet the requirements of the rules promulgated in the Act, are eligible to participate in the Exchange. The Exchange performs its functions under the Plan of Operation established and approved pursuant to the Act and exercises its powers through the Board.

BeWellnm for Small Business (beWellnm) was established as a program that allows small businesses, including nonprofits with 2 – 50 employees, to access health insurance through the Exchange. BeWellnm functions as a conduit for insurance premiums as opposed to being either an insurer or reinsurer. All beWellnm premiums billed and collected are recorded in the Exchange's statement of net position with no activity impacting the statement of revenues, expenses and changes in net position. The Exchange does not withhold any portion of premiums to cover administrative costs.

## **2) Summary of Significant Accounting Policies**

### Accounting Principles

The financial statements of the Exchange have been prepared in accordance with accounting principles generally accepted in the United States of America as applied to governmental entities. The GASB is the standard-setting body for governmental accounting and financial reporting.

### Basis of Presentation

The financial statements of the Exchange have been prepared using the economic resources measurement focus and the accrual basis of accounting. All of the principle Exchange's activities are reported as an enterprise fund.

The Exchange distinguishes operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with an enterprise fund's principal ongoing operations. The principal operating revenues of the Exchange are assessments levied on insurance carriers. Operating expenses include the cost of providing services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses, which consists primarily of investment income (loss) and gains on disposals of capital assets.

The Exchange reports its fiduciary fund in accordance with GASB Statement No. 84, *Fiduciary Activities*. The Exchange determined that the New Mexico Health Insurance

# **New Mexico Health Insurance Exchange**

## **Notes to the Financial Statements**

### **December 31, 2019 and 2018**

Exchange 401(k) Plan is a fiduciary component unit and is reported as a fiduciary fund. The fiduciary fund accounts for resources held in a trustee capacity and the employees of the Exchange. The fiduciary fund is prepared using the economic resources measurement focus and accrual basis of accounting.

#### Use of Estimates

Financial statements prepared in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements. Estimates also affect the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

#### Fair Value of Financial Instruments

Financial instruments include various cash equivalents, receivables and payables. The carrying amount of these financial instruments has been estimated by management to approximate fair value primarily due to their short maturity.

#### Cash and Cash Equivalents

For purposes of the statements of cash flows, the Exchange considers all unrestricted highly-liquid investments with a maturity of three months or less when purchased to be cash equivalents. The Exchange's cash balances consist primarily of bank deposits, money market demand accounts, and non-negotiable certificates of deposit. The Exchange's cash equivalents consist primarily of money market mutual funds that are readily convertible to a known amount of cash and carry an insignificant risk of change in value.

#### Investments

The Exchange's investments include negotiable certificates of deposit, and equity and bond mutual funds. Investments are measured and recorded at fair value on a recurring basis, reduced for permanent impairment of value, if any. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Investments that meet the definition of cash equivalents have been reclassified as cash and cash equivalents on the statements of net position.

Purchases and sales of securities are recorded on a trade-date basis. Changes in fair value that occur during the fiscal year are recognized as investment income reported for that fiscal year. Investment income is recognized when earned. Dividend income is recognized on the ex-dividend date. Net investment income includes interest and dividend earnings, gains and losses realized upon the sale of investments, unrealized holding gains and losses, and net of investment management fees.

# New Mexico Health Insurance Exchange

## Notes to the Financial Statements

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### Investment Risks and Uncertainties

Investments in general are exposed to various risks, such as interest rate, credit, and volatility risk. Due to the levels of risk associated with certain investments, it is reasonably possible that changes in the value of investments will occur in the near term and that such changes could materially affect the Exchange's account balance and amounts reported on the statements of net position.

### Premiums Due

Premiums due consist of payments owed from insured groups arising from the normal course of operations. Premiums due from insured groups represent gross premium amounts receivable for insurance provided for which the payment has yet to be made. These amounts are recovered by the Exchange either through subsequent collection or, if not collected, by cancellation of insurance coverage effective on the date through which premiums were paid. Accordingly, the Exchange does not record an allowance against receivables from insured groups.

### Prepaid Expenses and Other Assets

Certain payments to vendors represent costs applicable to future accounting periods and are recorded as prepaid expenses and other assets in the statements of net position and expensed as the items are used.

### Capital Assets and Depreciation

Capital assets are recorded at historical cost. Typically, property and equipment costing \$1,000 or more are capitalized in accordance with internal policy, in addition to outlays for items that significantly extend the useful life of a capital asset. This, however, does not preclude the Exchange from capitalizing costs below this amount when control over such assets is desired. Costs incurred for repair and maintenance are expensed as incurred.

Depreciation is provided over the estimated useful life of each class of depreciable asset and is computed using the straight-line method. The estimated useful lives used to depreciate assets, by asset class, are as follows:

Furniture and fixtures	3 years
Equipment	3 years
Computer equipment and software	3 years

### Premiums Due to Carriers

Premiums due to carriers consists of payments made by insured groups during the normal course of operations that are owed to each insured groups respective insurance carrier. As a result of timing differences arising in the premium billing cycle, such amounts have been paid to the Exchange by insured groups, but not remitted by the Exchange to the respective insurance carriers at year-end.

# New Mexico Health Insurance Exchange

## Notes to the Financial Statements

### December 31, 2019 and 2018

#### Compensated Absences

Under terms of employment, employees are granted sick leave and vacation in varying amounts. Full-time Exchange employees accumulate paid time off (PTO) hours for subsequent use according to the length of employment and within established maximum accrual limits. The Exchange, at its discretion, allows employees to sell back unused PTO at their current hourly rate. Employees are required to retain a minimum balance of 80 hours after the buy back.

Terminated employees are compensated at their current hourly rate for accumulated unpaid PTO up to a maximum of 240 hours. All accumulated PTO is recorded as an expense and a liability in the Exchange's financial statements.

#### Net Position

The Exchange follows GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. Accordingly, the difference between assets, deferred outflows of resources, liabilities, and deferred inflows of resources, is referred to as net position. Net position is categorized as follows:

- ◆ *Net investment in capital assets*—Is intended to reflect the portion of net position which is associated with capital assets less outstanding capital asset related debt, if any. The Exchange has no capital asset related debt at December 31, 2019 or 2018.
- ◆ *Restricted net position*—Restricted net position results when constraints placed on an assets' use are either externally imposed by creditors, grantors, and contributions, or imposed by law through constitutional provisions or enabling legislation. At December 31, 2019 or 2018, the Exchange reports restricted net position in the fiduciary fund of \$783,641 and \$527,222, respectively.
- ◆ *Unrestricted net position*—Represents net position not otherwise classified as invested in capital assets or restricted net position.

#### Carrier Assessments

The Exchange imposes assessments on insurance carriers operating in the State of New Mexico, except those exempted by NMSA 1978, § 59A-23F-4(B). The amount of the assessment is based on the Exchange's administrative expenses taken from the annual operating budget. The assessment is allocated to the carriers as a percentage of each carriers' written premium and subscriber contract charges relative to the total of all carriers written premium and subscriber contract charges. Written premiums used in the calculation include major medical and Medicaid managed care, but does not include written premiums for limited-benefit health plans and other exclusions. The written premium amounts used in the calculation are obtained from statutory filings each carrier submits to the New Mexico Office of the Superintendent of Insurance.



# **New Mexico Health Insurance Exchange**

## **Notes to the Financial Statements**

### **December 31, 2019 and 2018**

#### Consumer and Stakeholder Engagement and Support

These expenses align with the “consumer and stakeholder engagement and support” blueprint. It includes all marketing, advertising, media, public relations, stakeholder communications, enrollment entities, outreach entities, website development, and other outreach activities. All of these expenses are intended to educate consumers about the benefits of insurance. Marketing and advertising costs are expensed as incurred.

#### Technology and Project Management

These expenses align with the “eligibility and enrollment” blueprint for building the Exchange. It includes expenses incurred for the design, development and implementation of the Exchange’s eligibility and enrollment system. It also includes expenses related to project management, independent verification and validation, and expenses for changes to the State Medicaid eligibility verification system.

#### Operations

Operations expense includes all costs associated with running the Exchange, outside of salaries and benefits, such as recruitment, equipment, rent, telephone, insurance, depreciation, equipment leases and supplies.

#### Professional Services and Board

This includes all non-program contractual services, such as legal and audit expenses, as well as for board meetings and related expenses.

#### Plan Management

The plan management expense category aligns with the required “plan management” function for health insurance plans sold through the Exchange and includes payments made to the New Mexico Office of the Superintendent of Insurance for providing review and quality ratings for Qualified Health Plans (QHPs), initial and ongoing certification of Health Care Guides (HCGs), providing information and notifications to licensed health insurance companies regarding requirement to sell products through the Exchange, and receiving and resolving customer complaints.

#### Income Taxes

The Exchange is a tax-exempt, quasi-governmental organization. Accordingly, no provision for income taxes has been included in the accompanying financial statements.

#### New Accounting Pronouncements

The following accounting standards have recently been issued by the Governmental Accounting Standards Board (GASB), but are not yet effective at December 31, 2019, and have not yet been implemented by the Exchange:

- ♦ GASB Statement No. 87, *Leases*, effective for the Exchange’s fiscal year ending December 31, 2020.

**New Mexico Health Insurance Exchange**  
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- ♦ GASB Statement No. 89, *Accounting for Interest Cost Incurred before the End of a Construction Period*, effective for the Exchange's fiscal year ending December 31, 2020.
- ♦ GASB Statement No. 91, *Conduit Debt Obligations*, effective for the Exchange's fiscal year ending December 31, 2021.
- ♦ GASB Statement No. 92, *Omnibus 2020*, effective for the Exchange's fiscal year ending December 31, 2021.

The Exchange is in the process of evaluating recently issued, but not yet effective, GASB pronouncements and will implement the new GASB pronouncements in the fiscal year no later than the required effective date.

Subsequent Events

Subsequent events through March 24, 2020, the date which the financial statements were available to be issued, were evaluated for recognition and disclosure in the December 31, 2019, financial statements.

As of the release of these financial statements, citizens and the economies of the United States and other countries have been impacted by the coronavirus (COVID-19) pandemic. The World Health Organization declared a Public Health Emergency on January 30, 2020. The evolution of the virus, the extent of its economic impact, and the results of steps taken and yet to be taken by governments and financial institutions are unknown. The Exchange may face general business disruptions, reduced or delayed cash flows, reductions in small business enrollments, and other financial implications. Furthermore, the financial markets have experienced significant levels of volatility as a result of the pandemic. This volatility has caused significant declines in the value of investments held at year end. While such declines may be temporary, investment values are subject to market fluctuations, and the timing of any such recovery is unknown at the present time. The significance and the duration of the pandemic's financial impact are indeterminable. These financial statements do not consider the potential financial implications of the pandemic.

**New Mexico Health Insurance Exchange**  
**Notes to the Financial Statements**  
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**3) Cash and Cash Equivalents**

The Exchange's cash and cash equivalents are comprised of the following at December 31:

	<u>2019</u>	<u>2018</u>
Bank deposits	\$ <b>6,231,812</b>	\$ 4,253,668
Money market funds	<b>1,385,839</b>	2,031,463
Certificates of deposit (non-negotiable)	<u><b>1,158,000</b></u>	<u>1,217,000</u>
Total cash and cash equivalents	<u><b>\$ 8,775,651</b></u>	<u>\$ 7,502,131</u>

Custodial Credit Risk

Custodial credit risk is the risk that in the event of a bank failure, the Exchange's deposits may not be returned to it. The Exchange does not have a custodial credit risk policy requiring collateral on all deposits exceeding Federal Deposit Insurance Corporation (FDIC) limits. Bank deposits are insured by the FDIC up to \$250,000 per depositor per institution for interest-bearing and noninterest-bearing deposits, while the Securities Investors Protection Corporation (SIPC) protects up to \$250,000 for cash held with brokerage firms. The Exchange held \$1,158,000 in non-negotiable certificates of deposit with various financial institutions, all of which were fully covered by federal depository insurance at year-end. At times, portions of the cash balances in the financial institutions may exceed the insured limits. The Exchange has not experienced any losses in such accounts and believes it is not exposed to any significant credit risk on cash or cash equivalents.

At December 31, 2019 and 2018, the Exchange's deposits subject to custodial credit risk are as follows:

	<u>2019</u>	<u>2018</u>
Total amount of bank deposits	\$ <b>8,816,670</b>	\$ 7,639,361
Less FDIC/SIPC insurance coverage	<u><b>1,500,129</b></u>	<u>1,717,000</u>
Total uninsured deposits	<b>7,316,541</b>	5,922,361
Pledged collateral, fair value	<u><b>4,000,134</b></u>	<u>11,603,847</u>
Total uninsured and uncollateralized/ (pledged in excess)	<u><b>\$ 3,316,407</b></u>	<u>\$ (5,681,486)</u>

# New Mexico Health Insurance Exchange

## Notes to the Financial Statements

December 31, 2019 and 2018

### 4) Investments

#### Investment Policy

The Exchange has adopted an Investment Policy Statement (IPS) that identifies authorized investment classes and instruments, investment ratings, diversification, risk and liquidity parameters. Authorized investment securities include money market funds and securities, mutual funds, exchange traded funds, individual fixed income securities, pooled investment vehicles, closed-end funds, unit investment trusts and certificates of deposits with FDIC insured financial institutions. The IPS limits individual fixed income securities rated by a nationally recognized statistical ratings organization (NRSRO) of investment grade of at least BBB- (S&P), Baa3 (Moody's), or BBB- (Fitch). Diversified bond mutual funds and investment pools may; however, hold noninvestment grade securities.

The Exchange believes that long-term investment performance is a function of asset allocation. The IPS establishes a strategic asset allocation plan across authorized investment classes to minimize volatility and maximize returns as follows:

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Approved Range</u>
Large Cap U.S. Equity	5%	0%-7%
International Equity	2.5%	0%-5%
Core Investment Grade U.S. Bond	70%	50%-90%
High Yield Bonds	5%	0%-7%
International Bonds	5%	0%-7%
Cash/Money Market/CD's	12.5%	5%-50%

The strategic asset allocation plan shall be examined by the Exchange on an annual basis. Updates will be made, as needed, as market and investor circumstances change over time.

#### Concentrations

The Exchange's IPS calls for a diversified portfolio to minimize the risk of loss resulting from over concentrations of assets of an individual issuer or of a specific maturity.

#### Custodial Credit Risk

Custodial credit risk is the risk that in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, the Exchange will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The Exchange does not have custodial credit risk policies for investments. All investments are held in the name of the Exchange.

**New Mexico Health Insurance Exchange**  
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Credit Risk

Generally, credit risk is the risk that an issuer of a debt type investment will not fulfill its obligation to the holder of the investment. This is measured by assignment of a rating by a nationally recognized statistical rating organization (NRSRO) (S&P, Moody's, or Fitch). U.S. government securities or obligations explicitly guaranteed by the U.S. government are not considered to have credit risk exposure. There are no credit ratings associated with the bond mutual funds held by the Exchange. Therefore, the information presented below is based on the average credit ratings of the underlying assets held by the funds at December 31, 2019 and 2018:

December 31, 2019

Fair Value	Investment Maturities (in Years)					
	Less than 1	1-5	6-10	11-15	No Maturity	
Bond mutual funds	\$ -	\$ 861,048	\$ 9,452,362	\$ 316,051	\$ -	
Equity mutual funds	1,154,000	-	-	-	1,154,000	
Certificates of deposit (negotiable)	240,242	-	-	-	-	
<b>Total investments</b>	<b>\$ 12,023,703</b>	<b>\$ 240,242</b>	<b>\$ 861,048</b>	<b>\$ 9,452,362</b>	<b>\$ 316,051</b>	<b>\$ 1,154,000</b>

December 31, 2018

Fair Value	Investment Maturities (in Years)				
	Less than 1	1-5	6-10	11-15	No Maturity
Bond mutual funds	\$ -	\$ 841,093	\$ 8,026,074	\$ -	\$ -
Equity mutual funds	806,758	-	-	-	806,758
Certificates of deposit (negotiable)	475,663	475,663	-	-	-
<b>Total investments</b>	<b>\$ 10,149,588</b>	<b>\$ 1,316,756</b>	<b>\$ 8,026,074</b>	<b>\$ -</b>	<b>\$ 806,758</b>

Concentration of Credit Risk

The Exchange did not have any investments in any one issuer that represent 5% or more of total investments as of December 31, 2019 and 2018.

Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The Exchange does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. There are no maturities associated with bond mutual funds held by the Exchange. Therefore, the information about the exposure of the Exchange's investments to this risk is based on an average of the underlying assets held by the funds and is presented using the segmented time distribution model at December 31, 2019 and 2018, as follows:

December 31, 2019

Fair Value	Average Credit Ratings				
	AA	A	BBB	B	Not Rated
Bond mutual funds	\$ 2,459,011	\$ 4,609,270	\$ 3,054,739	\$ 506,441	\$ -
Equity mutual funds	1,154,000	-	-	-	1,154,000
Certificates of deposit (negotiable)	240,242	-	-	-	240,242
<b>Total investments</b>	<b>\$ 2,459,011</b>	<b>\$ 4,609,270</b>	<b>\$ 3,054,739</b>	<b>\$ 506,441</b>	<b>\$ 1,394,242</b>

**New Mexico Health Insurance Exchange**  
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<u>December 31, 2018</u>	Fair Value	Average Credit Ratings					
		AAA	AA	A	BBB	B	Not Rated
Bond mutual funds	\$ 8,867,167	\$ 2,325,490	\$ 3,878,773	\$ 1,821,811	\$ 373,883	\$ 467,210	\$ -
Equity mutual funds	806,758	-	-	-	-	-	806,758
Certificates of deposit (negotiable)	475,663	-	-	-	-	-	475,663
Total investments	<u>\$ 10,149,588</u>	<u>\$ 2,325,490</u>	<u>\$ 3,878,773</u>	<u>\$ 1,821,811</u>	<u>\$ 373,883</u>	<u>\$ 467,210</u>	<u>\$ 1,282,421</u>

**Foreign Currency Risk**

Foreign currency risk is the risk that changes in the value of the U.S. dollar against other foreign currencies will adversely affect the fair value of investments in foreign securities. The Exchange's IPS does not require foreign securities to be hedged against currency risk. The strategic asset allocation plan adopted in the IPS includes an allocation to international bonds and equity up to 12% of the total value of the investment portfolio. The Barclays Global ex-U.S., which contains foreign currency risk, is designated as the benchmark for performance for this asset class within the portfolio. Accordingly, the foreign currency risk inherent within the Barclays Global ex-U.S. benchmark has been implicitly adopted as an acceptable financial risk for the international equity and bonds asset class. At December 31, 2019 and 2018, the Exchange was exposed to foreign currency risk through its investments in international equity and bond mutual funds of \$1,082,177 and \$674,028, respectively.

**Investment Valuation**

The Exchange complies with GASB Statement No. 72, *Fair Value Measurement and Application*, which provides the framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurements) and the lowest priority to unobservable inputs (level 3 measurements). The three levels of the fair value hierarchy under GASB No. 72 are described as follows:

- Level 1 Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Exchange has the ability to access.
- Level 2 Quoted prices in markets that are not considered to be active or financial instruments without quoted market prices, but for which all significant inputs are observable, either directly or indirectly.
- Level 3 Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset's or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement.

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Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used at December 31, 2019 and 2018.

*Equity and bond mutual funds*—valued at the daily closing price as reported by the fund. Mutual funds are required to publish their daily net asset value (NAV) and to transact at that price.

*Certificates of deposit (negotiable)*—valued using matrix pricing techniques maintained by various pricing vendors.

The following tables present investments measured at fair value by classification within the hierarchy as of December 31:

December 31, 2019

	Fair Value	Fair Value Measurements		
		Level 1	Level 2	Level 3
Bond mutual funds	\$ 10,629,461	\$ 10,629,461	\$ -	\$ -
Equity mutual funds	1,154,000	1,154,000	-	-
Certificates of deposit (negotiable)	240,242	-	240,242	-
Total investments	<u>\$ 12,023,703</u>	<u>\$ 11,783,461</u>	<u>\$ 240,242</u>	<u>\$ -</u>

December 31, 2018

	Fair Value	Fair Value Measurements		
		Level 1	Level 2	Level 3
Bond mutual funds	\$ 8,867,167	\$ 8,867,167	\$ -	\$ -
Equity mutual funds	806,758	806,758	-	-
Certificates of deposit (negotiable)	475,663	-	475,663	-
Total investments	<u>\$ 10,149,588</u>	<u>\$ 9,673,925</u>	<u>\$ 475,663</u>	<u>\$ -</u>

**New Mexico Health Insurance Exchange**  
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Investment Income (Loss)

A summary of the Exchange's investment income (loss) for the years ended December 31, 2019 and 2018, is as follows:

	2019	2018
Interest and dividend income	\$ 477,948	\$ 416,804
Realized gains	19,707	-
Unrealized gains (losses)	756,643	(438,367)
Management and advisory fees	(45,226)	(44,064)
Total investment income (loss), net	\$ 1,209,072	\$ (65,627)

**5) Capital Assets**

A summary of capital assets activity is as follows:

	Balance at January 1, 2019	Increases	Decreases	Balance at December 31, 2019
<i>Capital assets not being depreciated</i>				
Artwork	\$ 8,048	\$ -	\$ -	\$ 8,048
Total capital assets not being depreciated	8,048	-	-	8,048
<i>Capital assets being depreciated</i>				
Computer equipment	445,459	125,513	(23,603)	547,369
Furniture and fixtures	153,933	209,148	-	363,081
Computer software	95,531	1,036	-	96,567
Equipment	33,605	7,049	-	40,654
Total capital assets being depreciated	728,528	342,746	(23,603)	1,047,671
<i>Less accumulated depreciation</i>				
Computer equipment	382,628	84,608	(23,603)	443,633
Furniture and fixtures	132,237	66,583	-	198,820
Computer software	80,434	12,947	-	93,381
Equipment	32,928	1,970	-	34,898
Total accumulated depreciation	628,227	166,108	(23,603)	770,732
Total capital assets being depreciated, net	100,301	176,638	-	276,939
Total capital assets, net	\$ 108,349	\$ 176,638	\$ -	\$ 284,987



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	Balance at January 1, 2018	Increases	Decreases	Balance at December 31, 2018
<i>Capital assets not being depreciated</i>				
Artwork	\$ 8,048	\$ -	\$ -	\$ 8,048
Total capital assets not being depreciated	<u>8,048</u>	<u>-</u>	<u>-</u>	<u>8,048</u>
<i>Capital assets being depreciated</i>				
Computer equipment	433,878	15,472	(3,891)	445,459
Furniture and fixtures	150,316	3,617	-	153,933
Computer software	95,531	-	-	95,531
Equipment	33,605	-	-	33,605
Total capital assets being depreciated	<u>713,330</u>	<u>19,089</u>	<u>(3,891)</u>	<u>728,528</u>
<i>Less accumulated depreciation</i>				
Computer equipment	258,792	127,727	(3,891)	382,628
Furniture and fixtures	96,735	35,502	-	132,237
Computer software	62,295	18,139	-	80,434
Equipment	31,972	956	-	32,928
Total accumulated depreciation	<u>449,794</u>	<u>182,324</u>	<u>(3,891)</u>	<u>628,227</u>
Total capital assets being depreciated, net	<u>263,536</u>	<u>(163,235)</u>	<u>-</u>	<u>100,301</u>
Total capital assets, net	<u>\$ 271,584</u>	<u>\$ (163,235)</u>	<u>\$ -</u>	<u>\$ 108,349</u>

Depreciation expense for the years ended December 31, 2019 and 2018, was \$166,108 and \$182,324, respectively, and is reported in operations expense in the statements of revenues, expenses, and changes in net position.

**6) Federal Platform User Fee**

The Exchange provides access to obtain health and/or dental insurance coverage through its Small Business Health Options Program (SHOP) within the State of New Mexico. The Exchange received approval from the Centers for Medicaid and Medicare Services (CMS) to operate the SHOP as a State-based Exchange (SBE). The Exchange provides similar access to individuals seeking health and/or dental insurance coverage, however, through an exchange operated by the federal government. This model is referred to as a State-based Exchange on the Federal Platform (SBE-FP). These exchanges' rely on the federal government's information technology system, consumer call center and eligibility and enrollment services (the "Federal Platform").

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Starting in January 2017, CMS began charging all issuers offering qualified health plans through SBE-FP's a Federal Platform User Fee for the portion of Federal Platform services and benefits provided to the issuer, and is based upon effectuated enrollments at the issuer payee level. The SBE-FP user fee rates in 2019 and 2018 were 3.0% and 2.0%, respectively, of the total policy premium per month for each individual enrollee on the Federal Platform. The Exchange paid SBE-FP User Fees of \$6,769,007 and \$5,314,400 for the years ended December 31, 2019 and 2018, respectively.

**7) Retirement Plan**

Effective January 1, 2014, The Exchange established the New Mexico Health Insurance Exchange 401(k) Plan (the "Plan"). The Plan is a defined contribution plan covering substantially all employees who have completed one month of service and are age eighteen or older. The Plan allows eligible employees to defer a portion of their annual compensation pursuant to Section 401(k) of the Internal Revenue Code, and permits employer matching and profit sharing contributions. The Board of Directors has the authority to establish or amend benefit terms and employer contribution rates. The Exchange serves as the Plan administrator.

Participation for employee elective deferrals and employer matching contributions commences on the entry date (the first day of the calendar month) after meeting the eligibility requirements. Participation for employer profit sharing contributions commences on the entry dates (January 1 and July 1) coincident with or following the completion of one year of service and are age eighteen or older.

Participants are immediately vested in their contributions and the employer's safe harbor matching contributions, plus actual earnings thereon. Vesting in the employer profit sharing contributions, plus earnings thereon, is based on years of service as defined in the Plan agreement, and vest according to the following schedule:

<u>Years of Service</u>	<u>Percent Vested</u>
Less than two years	0%
Two years, but less than three	20%
Three years, but less than four	40%
Four years, but less than five	60%
Five years, but less than six	80%
Six or more years	100%

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Forfeitures of nonvested employer profit sharing contributions may be used for any permissible method, including the payment of administrative expenses or reducing the amount of employer contributions otherwise required for the Plan year. As of and for the years ended December 31, 2019 and 2018, there were no forfeited amounts. The Exchange provides a safe harbor matching contribution equal to 100% of an employee's contributions up to 6% of total annual compensation. The Exchange's matching contributions to the Plan totaled \$112,468 and \$84,310 for the years ended December 31, 2019 and 2018, respectively, and are included in salaries and employee benefits in the statements of revenue, expenses, and changes in net position.

Any discretionary profit sharing contributions are determined by the Board; however, no such contributions were made to the Plan in 2019 and 2018.

**8) Commitments**

The Exchange is committed under various lease agreements for office space and office equipment, which expire at varying times through March 31, 2024. These leases are classified as operating leases. The office space lease has an option to renew for an additional three years while the office equipment leases have automatic renewal features at the end of the initial term. Lease expense for the years ended December 31, 2019 and 2018, was \$291,469 and \$145,572, respectively, and is included in operations expense in the accompanying statements of revenues, expenses and changes in net position.

In March 2019, the Exchange entered into a lease agreement for a larger office space within the same building, while continuing to lease its existing office space. This lease is classified as an operating lease. The combined monthly lease expense beginning in April 2019, is approximately \$26,093 and is subject to annual inflation adjustments. The office space lease has an option to renew for an additional three years.

In January 2020, the Exchange successfully negotiated a sublease of its existing office space with an unrelated party. The sublease commences on February 1, 2020, and expires on August 31, 2021. The monthly lease revenue through the term of the sublease will be \$7,925 and is not subject to annual inflation adjustments.

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The following schedule details the future minimum lease payments as of December 31, 2019, for operating leases with initial or remaining lease terms in excess of one year:

Year ending December 31,	
2020	\$ 339,347
2022	309,844
2022	242,790
2023	249,636
2024	<u>64,086</u>
Total	<u>\$ 1,205,703</u>

Additionally, the Exchange has numerous professional and consulting service contracts and agreements for marketing and outreach and technology services in place with outstanding commitments at December 31, 2019 and 2018, of \$39.3 million and \$2.8 million, respectively. Such amounts are expected to be paid with carrier assessments through fiscal year ending December 31, 2021.

**9) Contingencies**

Litigation

The Exchange is party to various legal proceedings that occur in the normal course of operations. The Exchange maintains insurance coverage to protect against losses related to personal property and general liabilities, directors and officers, errors and omissions, and workers compensation. During 2019, a complaint was filed against the Exchange by a former employee. The Exchange believes that the likelihood of an unfavorable outcome is low. The Exchange is unable to estimate the amount or range for any potential loss, and, therefore, has not accrued for any potential loss. It is the best judgment of management that neither the financial position nor results of operations of the Exchange will be materially affected by the financial outcome of this complaint.

Claims may also be filed for incidents that have occurred, including some of which the Exchange is not presently aware. Management believes that the amount of such potential claims, if any, would be immaterial to the Exchange. Accordingly, no accrual has been made for these potential claims.

**New Mexico Health Insurance Exchange**  
**Notes to the Financial Statements**  
**December 31, 2019 and 2018**

**10) Economic Dependency**

The Exchange is dependent on a small number of insurance carriers underwriting health and dental insurance policies within the State of New Mexico to charge assessments. The Exchange charged assessments on 12 and 11 insurance carriers during 2019 and 2018, respectively.

Two insurance carriers accounted for approximately 73% (47% and 26%) of assessment revenues for the year ended December 31, 2019, while four insurance carriers accounted for approximately 85% (28%, 25%, 18%, and 14%) of assessment revenues for the year ended December 31, 2018. The Exchange does not believe the loss of a single insurance carrier would materially affect its financial position.

**Independent Auditor’s Report on Internal Control  
Over Financial Reporting and on Compliance and  
Other Matters Based on an Audit of Financial Statements  
Performed in Accordance With *Government Auditing Standards***

Board of Directors  
New Mexico Health Insurance Exchange

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the business-type activities and aggregate remaining fund information of the New Mexico Health Insurance Exchange (the “Exchange”), as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the Exchange’s basic financial statements, and have issued our report thereon dated March 24, 2020.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Exchange’s internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Exchange’s internal control. Accordingly, we do not express an opinion on the effectiveness of the Exchange’s internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Exchange's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Exchange's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

REDW LLC  
Albuquerque, New Mexico  
March 24, 2020