

From: [Chris Mechels](#)
To: [Apodaca, Sheila, DOH](#)
Cc: [aimfull](#); [Chris Goad](#); [Mim Chapman](#); [Wirth, Peter](#); [Heather Ferguson](#); [New Mexico Foundation for Open Government](#)
Subject: [EXT] Mechels comment #4 on NMAC 7-1-30 Rules Hearing
Date: Sunday, July 19, 2020 5:57:36 PM

Dear Ms. Apodaca,

This is the fourth of a number of comments on this hearing.

It concerns even more procedural violations of the Rules Act, sufficient to cancel the Rules Hearing. Details follow.

1) Per the Rules Act you are required (you shall) post comments as follows;

D. The agency shall post all written comments on its website, if one exists, as soon as practicable, and no more than 3 business days following receipt to allow for public review. All written comments received by the agency shall also be available for public inspection at the main office of the agency.

You have failed your obligation as my Comment #1, emailed at 1433 on 13 July, posted on the SunshinePortal on 18 July. Five days.

2) Furthermore, you failed to post that, and other, comments on your DOH website as required, and your notice makes no mention of the Portal, so this failure is important. How are the comments to be found?

3) The purpose of posting these comments, to enable those interested to inform, and learn from, each other, before the Rules Hearing, has been thwarted.

This failure can't be recovered in the time available before Thursday, so I suggest that the Rules Hearing be canceled and rescheduled. The problems I noted in Comment #1 support that conclusion.

Regards,

Chris Mechels
505-982-7144