

From: [Craig Erickson](#)
To: [Chris Mechels](#); [Apodaca, Sheila, DOH](#); [Kunkel, Kathy, DOH](#)
Cc: [Woodward, Chris, DOH](#); [Chris Goad](#); [Mim Chapman](#)
Subject: [EXT] RE: The 7.1.30 Rules Hearing
Date: Friday, July 31, 2020 3:39:17 PM

Mr. Mechels:

Your request to file a response to Mr. Woodward's July 29, 2020 letter is granted. You and any other participant in the July 23 hearing may file a written response. Your response should be limited to only issues raised in Mr. Woodward's letter. It should be emailed to the Department, and copies via email to me, no later than 5:00 pm on Tuesday, August 4.

Mr. Woodward, please post this email message on the Department's website.

Thank you,

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-----Original Message-----

From: Chris Mechels <cmechels@q.com>
Sent: Friday, July 31, 2020 1:47 PM
To: Sheila Apodaca <Sheila.Apodaca@state.nm.us>; kathy kunkel <kathy.kunkel@state.nm.us>
Cc: chris woodward <chris.woodward@state.nm.us>; Craig Erickson <craig@uttkery.com>; Chris Goad <cagoad@gmail.com>; Mim Chapman <mimcsf@gmail.com>
Subject: The 7.1.30 Rules Hearing

Concerning the above Hearing.

I was very surprised to find the letter from Mr. Woodward to the Hearing Officer posted today.

Why were I, and the other parties who participated, not advised of this by email?? That would seem appropriate.

Upon examination of the letter, I find some useful detail, and significant errors, in Mr. Woodward's, letter.

I therefore suggest that the Hearing Officer solicit input from myself and others, on Mr. Woodward's letter, and the record.

Failure to do so implies special access to DOH Counsel, with no opportunity for rebuttal. Why is this ex parte communication allowed?

I am pleased with Mr. Woodward's acknowledgement that the Default Procedure (1.24.25) is mandatory for the DOH, and "not in dispute". Nonetheless, the Hearing Officer refused to address this issue, in spite of my request, during the hearing, and denied us many of the features contained in the Default Procedure. This, in itself, would warrant abandonment and a rehearing.

Again, I believe that, given Mr. Woodward's letter, that I, and the other participants, should be allowed to respond.

Regards,

Chris Mechels
505-982-7144