

## NOTICE OF RULEMAKING

The Human Services Department (the Department), through the Medical Assistance Division (MAD), is proposing to amend New Mexico Administrative Code (NMAC) rule 8.310.10 Health Home Services.

Section 9-8-6 NMSA 1978, authorizes the Department Secretary to promulgate rules and regulations that may be necessary to carry out the duties of the Department and its divisions.

Notice Date: January 16, 2018

Hearing Date: February 19, 2018

Adoption Date: Proposed as May 1, 2018

Technical Citations: Social Security Act Sec 1945 which may be found at

[https://www.ssa.gov/OP\\_Home/ssact/title19/1945.htm](https://www.ssa.gov/OP_Home/ssact/title19/1945.htm)

Centers for Medicare and Medicaid Services – Health Homes which may be found at

<https://www.medicaid.gov/medicaid/ltss/health-homes/index.html>

The Human Services Department (the Department), through the Medical Assistance Division (MAD), is proposing to amend New Mexico Administrative Code (NMAC) rule 8.310.10 Health Home Services. The Department has analyzed data from Health Home Services' first year of operations and determined a number of amendments are necessary to increase the effectiveness of the service. The proposed amendments include:

### **Section 8 Mission Statement**

The Department is removing the mission statement from each New Mexico Administrative Code (NMAC) rule as it is amended or a new rule is proposed.

### **Section 10 Eligible Providers and Practitioners, Subsection A**

The provision of Comprehensive Community Support Services (CCSS) is a CareLink New Mexico Health Home requirement. MAD no longer requires the Children, Youth and Families Department or Department of Health Division of Health Improvement to certify an agency to render CCSS. MAD requires an attestation that the agency has completed CCSS training.

### **Subsection B, Paragraphs (3) through (7)**

The Department is expanding the role of the Health Home Services supervisor to include two new types of practitioners: certified peer and family support workers. The supervisor will no longer supervise physical health and psychiatric consultants who will comply with their respective licensing boards' requirements for supervision.

The Department is adding a Registered Nurse as another option for Care Coordination providers. It also adds waiver availability through the CareLink Steering Committee.

### **Section 11 Provider Responsibilities, Subsection D, Paragraph 5**

MAD Health Home Services has completed its first year of operation. The Department has analyzed data and found the caseload ratios are not providing the level of intensity necessary to meet the needs of some recipients. The Department also found for the combined Care Coordination Levels 6 and 7 the average care coordinator caseload is 50 to 65 recipients. Based on these results, the Department is proposing to decrease the caseloads for Care Coordination Levels 7, 8 and 9 in order to provide better support to recipients with high intensity needs.

### **Section 12 Identified Population, Subsection B**

The Department is expanding access to CareLink NM services to an eligible recipient regardless of whether he or she resides in the same county as the approved health home agency.

### **Section 13 Covered Services**

The Centers for Medicare and Medicaid Services (CMS) amended Health Home Services' six service requirements to no longer reimburse separately for linkage through health information technology. However, it remains a required element for Health Home Services. The Department also proposes to identify Health Promotion as a

distinct service category in order to bring focus to this service.

This proposed rule will be contained in 8.310.10 NMAC. The register and proposed rule language are available on the HSD website at: <http://www.hsd.state.nm.us/LookingForInformation/registers.aspx> and <http://www.hsd.state.nm.us/public-notices-proposed-rule-and-waiver-changes-and-opportunities-to-comment.aspx>. If you do not have internet access, a copy of the proposed register and rule may be requested by contacting MAD at 505-827-6252.

A public hearing to receive testimony on this proposed rule will be held in Hearing Room 1, Toney Anaya Building, 2550 Cerrillos Road, Santa Fe, New Mexico on February 19, 2018 from 10 a.m. to 11 a.m., Mountain Standard Time (MST).

If you are a person with a disability and you require this information in an alternative format or require a special accommodation to participate in the public hearing, please contact MAD in Santa Fe at (505) 827-6252. The Department requests at least 10 working days advance notice to provide requested alternative formats and special accommodations.

Interested persons may address written comments to:

Human Services Department  
Office of the Secretary  
ATTN: Medical Assistance Division Public Comments  
P.O. Box 2348  
Santa Fe, New Mexico 87504-2348

Recorded comments may be left at (505) 827-1337. Interested persons may also address comments via electronic mail to: [madrules@state.nm.us](mailto:madrules@state.nm.us). Written mail, electronic mail and recorded comments must be received no later than 5 p.m. MST on February 19, 2018. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.

Copies of all comments will be made available by MAD upon request by providing copies directly to a requestor or by making them available on the MAD website or at a location within the county of the requestor.