

This is an amendment to 8.231.400 NMAC, Sections 8, 9 and 10, effective 1/1/2022.

**8.231.400.8**     ~~[RESERVED]~~ **MISSION:** To transform lives. Working with our partners, we design and deliver innovative, high quality health and human services that improve the security and promote independence for New Mexicans in their communities.

[8.231.400.8 NMAC - Rp, 8.231.400.8 NMAC, 10/1/2017; A, 1/1/2022]

**8.231.400.9**     **NEWBORN - CATEGORY 031:** The New Mexico medicaid program covers infants for 13 months born to mothers who are eligible for and receiving New Mexico medicaid at the time of the child's birth including during a period of retroactive eligibility. Mothers eligible to receive emergency medical services for ~~aliens (EMSA)~~ non-citizens (EMSNC) at the time of labor and delivery are considered to meet the standard of medicaid eligibility for the mother.

[8.231.400.9 NMAC - Rp, 8.231.400.9 NMAC, 10/1/2017; A, 1/1/2022]

**8.231.400.10**    **BASIS FOR DEFINING THE GROUP (42 CFR 435.177):**

**A. Eligibility:** HSD provides medicaid to children from birth through the month of the child's first birthday without application if, for the date of the child's birth, the child's mother was eligible for and received covered services under:

(1) the medicaid state plan (including during a period of retroactive eligibility under 42 CFR 435.915) regardless of whether payment for services for the mother is limited to services necessary to treat an emergency medical condition, as defined in section 1903(v)(3) of the Act and 8.285.400.10 NMAC under the emergency medical services for ~~aliens (EMSA)~~ non-citizens (EMSNC) program.

(2) the child is deemed to have applied and been determined eligible under the medicaid state plan effective as of the date of birth, and remains eligible regardless of changes in circumstances through the month of the child's first birthday, unless the child dies or ceases to be a resident of the state or the child's representative requests a voluntary termination of eligibility.

**B. Medicaid identification number:** The medicaid identification number of the mother serves as the child's identification number, and all claims for covered services provided to the child may be submitted and paid under such number, unless and until the state issues the child a separate identification number. HSD will issue a separate medicaid identification number for the child prior to the effective date of any termination of the mother's eligibility or prior to the date of the child's first birthday, whichever is sooner, except that HSD will issue a separate medicaid identification number in the case of a child born to a mother:

(1) whose coverage is limited to services necessary for the treatment of an emergency medical condition, consistent with 42 CFR 435.139 or 435.350 and 8.285.400.10 NMAC under the ~~EMSA~~ EMSNC program; or

(2) who received medicaid in another state on the date of birth.

[8.231.400.10 NMAC - Rp, 8.231.400.10 NMAC, 10/1/2017; A, 1/1/2022]