

NOTICE OF RULEMAKING

The Human Services Department (the Department), through the Medical Assistance Division (MAD), is proposing to amend the New Mexico Administrative Code (NMAC) rule 8.310.10, Health Care Professional Services, Health Home Services, to include substance use disorder (SUD) within recipient eligibility criteria.

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: April 23, 2024

Hearing Date: May 23, 2024

Adoption Date: Proposed as August 1, 2024

Technical Citations: New Mexico State Plan Amendment NM-21-0005

The Department is proposing to amend the rule as follows:

8.310.10 NMAC

Section 1 is being amended to reflect the change from the Human Services Department (HSD) to the Health Care Authority (HCA).

Section 8 is amended to reflect the new mission statement for the Health Care Authority.

Section 12 is amended to reflect substance use disorder (SUD) as an allowable diagnosis for recipient eligibility.

Throughout the NMAC amendments have been made to comply with formatting and language requirements.

RULE

These proposed rule changes will be contained in 8.310.10 NMAC. This register and the proposed rule are available on the HSD website at: <https://www.hsd.state.nm.us/lookingforinformation/registers/> and <https://www.hsd.state.nm.us/2024-comment-period-open/>. If you do not have internet access, a copy of the proposed register and rule may be requested by contacting MAD at (505) 827-1337.

EFFECTIVE DATE

The Department proposes to implement these amendments effective August 1, 2024.

PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held on **May 23, 2024 at 9:00 a.m.** The hearing will be held at the Administrative Services Division (ASD), 1474 Rodeo Rd., Santa Fe, NM 87505 and via conference call. Conference phone number: 1-800-747-5150. Access Code: 2284263.

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 the MAD in Santa Fe at (505) 827-1337. The Department requests at least 10 working days advance notice to provide requested alternative formats and special accommodations.

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.

ADDRESS

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: HSD-madrules@hsd.nm.gov. Written mail, electronic mail and recorded comments must be received no later than 5 p.m. MT on May 23, 2024. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments received will be posted as they are received on the HSD website at <https://www.hsd.state.nm.us/2024-comment-period-open/> along with the applicable register and rule. The public posting will include the name and any contact information provided by the commenter.