

NOTICE OF RULEMAKING

The New Mexico Health Care Authority (HCA), through the Medical Assistance Division (MAD), is proposing to amend the New Mexico Administrative Code (NMAC) rule *8.200.400 NMAC-Medicaid Eligibility, General Recipient Rules, 8.249.400 NMAC-Refugee Medical Assistance (RMA) Program, 8.249.600-Refugee Medical Assistance (RMA) Program, Benefit Description.*

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: May 20, 2025

Hearing Date: June 20, 2025

Adoption Date: Proposed as August 1, 2025

Technical Citations: Office of Refugee Resettlement (ORR) Notice of Change of Eligibility, FR Doc. 2025-04839, 45 CFR 400.211

Background

The Federal Office of Refugee Resettlement (ORR) issued notice on March 21, 2025, of a change to reduce the eligibility period for Refugee Medical Assistance (RMA) from 12 months to 4 months to avoid a significant budget shortfall. This applies to participants who become eligible for benefits 45 days after the publication date. A methodology had been established by ORR to determine the time eligibility periods for RMA each year based on the appropriated funds available for the fiscal year as described in 45 CFR 400.211.

The Health Care Authority is proposing to amend the rules as follows:

8.200.400 NMAC

Section 10 has been updated to change the RMA coverage period from 12 months to a period established yearly by the Office of Refugee Resettlement (ORR) based on appropriated funds for the fiscal year.

8.249.400 NMAC

Section 6 has been updated to change the RMA coverage period from 12 months to a period established yearly by the Office of Refugee Resettlement (ORR) based on appropriated funds for the fiscal year.

Section 8 has been updated to include the Departments current mission statement.

8.49.600 NMAC

Section 8 has been updated to include the Departments current mission statement.

Section 9 has been updated to change the RMA coverage period from 12 months to a period established yearly by the Office of Refugee Resettlement (ORR) based on appropriated funds for the fiscal year.

Section 11, 12, and 15 have been updated to remove the 12-month eligibility period.

I. RULE

These proposed rule changes will be contained in 8.200.400, 8.249.400, and 8.249.600 NMAC. This register and the proposed rules are available on the HCA website at: <https://www.hca.nm.gov/lookingforinformation/registers/> and <https://www.hca.nm.gov/comment-period-open-2025/>. 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.

II. EFFECTIVE DATE

The Health Care Authority proposes implementing these rules effective August 1, 2025.

III. PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held on June 20, 2025, at 9:00 a.m. Mountain Time (MT). The hearing will be held at the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Microsoft Teams.

Join Teams Meeting

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If you are a person with a disability and you require this information in an alternative format or require special accommodation to participate in the public hearing, please contact the MAD in Santa Fe at (505) 827-1337. The HCA requests at least ten (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.

IV. ADDRESS

Interested persons may address written comments to:

New Mexico Health Care Authority
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: HCA-madrules@hca.nm.gov. Written mail, electronic mail and recorded comments must be received **no later than 5 p.m. MT on June 20, 2025**. 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 HCA website at <https://www.hca.nm.gov/lookingforinformation/registers/> and <https://www.hca.nm.gov/comment-period-open-2025/> along with the applicable register and rule. The public posting will include the name and any contact information provided by the commenter.