

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 8.308.12, *Managed Care Program, Community Benefit*. Amendments include new language for Home Delivered Meals, removing language regarding the Specialized Service Native American Healing due to the approval of Turquoise Care, adjusting cost limits for Community Transition Services and Environmental Modifications, and clarifying Electronic Visit Verification (EVV) requirements for respite services within the community benefit program.

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: June 10, 2025

Hearing Date: July 14, 2025

Adoption Date: Proposed as November 1, 2025

Technical Citations: NM Turquoise Care 1115 Waiver

The HCA is proposing the following amendments:

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

Section 8

Updated to include the Department's current mission statement.

Section 13

The Subsections have been renumbered due to a new Subsection being added under Section 13.

Subsection D is updated to reflect the change in cost limits for Community Transition Services.

Subsection G is updated to reflect the change in cost limits for Environmental Modifications.

Subsection H is updated with new language to include a new service, Home Delivered Meals.

Subsection M is updated to add additional language clarifying Electronic Visit Verification requirements for respite services.

Section 18

Subsection N is updated to remove language regarding the Specialized Service Native American Healing. There is no current utilization of this service and Traditional Healing has been added to the overall Turquoise Care program, which expands access to members who are not in the Self-Directed Community Benefit.

I. RULE

These proposed changes will be contained in 8.308.12 NMAC. This register and the proposed rule 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 HCA proposes implementing this rule effective November 1, 2025.

III. PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held on July 14, 2025, at 8:30 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

Join the meeting now

Meeting ID: 252 856 909 932 2
Passcode: WR2Wk7HJ

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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 5:00 p.m. MT on July 14, 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.