

NOTICE OF EMERGENCY RULEMAKING

The Health Care Authority (HCA) Income Support Division (ISD) implemented a temporary emergency rule which was effective May 1, 2025, this does not permanently amend or repeal the existing rule and will only remain in effect until this permanent rule takes effect under the normal rule making process.

On March 21, 2025, a Federal Register was issued by Health and Human Services (HHS) notice of change of Eligibility Period for Refugee Cash and Medical Assistance. The eligibility period is being changed from 12 months to four months for participants who become eligible for Office of Refugee Resettlement (ORR) benefits 45 days after publication. ORR determined that it must shorten the RCA and RMA eligibility period to four months to avoid a significant budget shortfall. The language update will mirror the language in 45 CFR 400.211

<https://www.ecfr.gov/current/title-45/section-400.211>. This rule is necessary to ensure HCA is in compliance with federal regulations.

The proposed rule changes to the New Mexico Administration Code (NMAC) will be to 8.119.100 NMAC, 8.119.410 NMAC.

This action is authorized under Chapter 9, Article 8, NMSA 1978 (Repl. 1983), which grants the Department Secretary the authority to establish rules and regulations necessary for the Department and its divisions. Regulations issued pursuant to the act are contained in 45 CFR Parts 400. Administration of the Health Care Authority (HCA), including its authority to promulgate regulations, is governed by Chapter 9, Article 8, NMSA 1978 (Repl. 1983).

The register and rule language is available on the HCA website at:

<https://www.hca.nm.gov/lookingforinformation/income-support-division-registers-2/> . If you do not have internet access, a copy of the final register and rules may be requested by contacting HCA Office of the Secretary at (505) 827-7750.

PUBLIC HEARING:

A hybrid public hearing to receive testimony on this proposed rule will be held, pursuant to Section 14-4-5.6 NMSA 1978, on Friday July 25, 2025, at 10:00 a.m.,–11:00 a.m. You may join in person, virtually, or by phone.

You may join in person at: HCA Income Support Division Office at 4363 Jager Dr NE, Rio Rancho, NM 87144.

You may join virtually from your computer, tablet or smartphone: Microsoft Teams Need help?

Meeting ID: 281 929 251 602 8 Passcode: Qa7SJ9gt Dial in by phone +1 505-312-4308,,783673944# United States, Albuquerque (888) 506-1357,,783673944# United States (Toll-free) Find a local number

Phone conference ID: 783 673 944# For organizers: Meeting options | Reset dial-in PIN

Get the app now and be ready when your first meeting starts: Join the meeting now.

If you are a person with a disability and you require this information in an alternative format, or you require a special accommodation to participate in any HSD public hearing, program, or service, please contact the American Disabilities Act Coordinator, at Office-505-709-5468, Fax-505-827-6286 or through the New Mexico Relay system, toll free at #711. The Authority requests at least a 10-day advance notice to provide the requested alternative formats and special accommodations.

Written comment may be dropped off during the scheduled hearing time at the HCA Income Support Division Office at 4363 Jager Dr NE, Rio Rancho NM 87144. All written comments will be posted on the agency website within 3 days of receipt.

Individuals wishing to testify may contact the Income Support Division (ISD), P.O. Box 2348, Santa Fe, NM 87504-2348, or by calling (505) 819-8118.

Individuals who do not wish to attend the hearing may submit written or recorded comments. Written or recorded comments must be received by 5:00 p.m. on the date of the hearing, July 25, 2025. Please send comments to: Income Support Division P.O. Box 2348, Santa Fe, NM 87504-2348

Recorded comments may be left at (505) 819-8118. You may send comments electronically to: HCA-isdrules@hca.nm.gov. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.