

**TITLE 8 SOCIAL SERVICES**  
**CHAPTER 259 MEDICAL ASSISTANCE PROGRAM ELIGIBILITY - REFUGEES WITH SPEND**  
**DOWN PROVISION**  
**PART 400 RECIPIENT REQUIREMENTS**

**8.259.400.1 ISSUING AGENCY:** New Mexico Human Services Department (HSD).  
[8.259.400.1 NMAC - Rp, 8.259.400.1 NMAC, 1-1-14]

**8.259.400.2 SCOPE:** The rule applies to the general public.  
[8.259.400.2 NMAC - Rp, 8.259.400.2 NMAC, 1-1-14]

**8.259.400.3 STATUTORY AUTHORITY:** The New Mexico medicaid program and other health care programs are administered pursuant to regulations promulgated by the federal department of health and human services under Title XIX of the Social Security Act as amended or by state statute. See NMSA 1978, Section 27-1-12 et seq.  
[8.259.400.3 NMAC - Rp, 8.259.400.3 NMAC, 1-1-14]

**8.259.400.4 DURATION:** Permanent.  
[8.259.400.4 NMAC - Rp, 8.259.400.4 NMAC, 1-1-14]

**8.259.400.5 EFFECTIVE DATE:** January 1, 2014, unless a later date is cited at the end of a section.  
[8.259.400.5 NMAC - Rp, 8.259.400.5 NMAC, 1-1-14]

**8.259.400.6 OBJECTIVE:** The objective of this rule is to provide specific instructions when determining eligibility for the medicaid program and other health care programs. Generally, applicable eligibility rules are detailed in the medical assistance division (MAD) eligibility policy manual, specifically 8.200.400 NMAC, *General Medicaid Eligibility*. Processes for establishing and maintaining MAD eligibility are detailed in the income support division (ISD) general provisions 8.100 NMAC, *General Provisions for Public Assistance Programs*.  
[8.259.400.6 NMAC - Rp, 8.259.400.6 NMAC, 1-1-14]

**8.259.400.7 DEFINITIONS:** [RESERVED]

**8.259.400.8 MISSION:** To reduce the impact of poverty on people living in New Mexico by providing support services that help families break the cycle of dependency on public assistance.  
[8.259.400.8 NMAC - N, 1-1-14]

**8.259.400.9 REFUGEE MEDICAL ASSISTANCE SPEND DOWN ONLY - CATEGORY 059:** Refer to 8.249.400 NMAC.  
[8.259.400.9 NMAC - Rp, 8.259.400.9 NMAC, 1-1-14]

**8.259.400.10 BASIS FOR DEFINING THE GROUP:** Refer to 8.249.400 NMAC.  
[8.259.400.10 NMAC - Rp, 8.259.400.10 NMAC, 1-1-14]

**8.259.400.11 GENERAL RECIPIENT REQUIREMENTS:** Refer to 8.249.400 NMAC.  
[8.259.400.11 NMAC - Rp, 8.259.400.11 NMAC, 1-1-14]

**8.259.400.12 ENUMERATION:** Refer to 8.249.400 NMAC.  
[8.259.400.12 NMAC - Rp, 8.259.400.12 NMAC, 1-1-14]

**8.259.400.13 CITIZENSHIP:** Refer to 8.249.400 NMAC.  
[8.259.400.13 NMAC - Rp, 8.259.400.13 NMAC, 1-1-14]

**8.259.400.14 RESIDENCE:** Refer to 8.249.400 NMAC.  
[8.259.400.14 NMAC - Rp, 8.259.400.14 NMAC, 1-1-14]

**8.259.400.15 SPECIAL RECIPIENT REQUIREMENTS:** Refer to 8.249.400 NMAC.

[8.259.400.15 NMAC - Rp, 8.259.400.15 NMAC, 1-1-14]

**8.259.400.16 AGE:** Refer to 8.249.400 NMAC.  
[8.259.400.16 NMAC - Rp, 8.259.400.16 NMAC, 1-1-14]

**8.259.400.17 RECIPIENT RIGHTS AND RESPONSIBILITIES:** Refer to 8.249.400 NMAC.  
[8.259.400.17 NMAC - Rp, 8.259.400.17 NMAC, 1-1-14]

**8.259.400.18 ASSIGNMENTS OF MEDICAL SUPPORT:** Refer to 8.249.400 NMAC.  
[8.259.400.18 NMAC - Rp, 8.259.400.18 NMAC, 1-1-14]

**HISTORY OF 8.259.400 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center:

MAD Rule 822, Refugee Medical Assistance, filed 5-22-92.

**History of Repealed Material:**

MAD Rule 822, Refugee Medical Assistance, filed 5-22-92 - Repealed effective 2-1-95.

8.259.400 NMAC, Recipient Requirements, filed 6-13-03 - Repealed effective 1-1-14.