



Michelle Lujan Grisham, Governor  
David R. Scrase, M.D., Secretary  
Nicole Comeaux, J.D., M.P.H., Director

August 19, 2022

**RE: Tribal Notification to Request Advice and Comments Letter 22-24: Pasteurized Donor Human Milk (PDHM)**

Dear Tribal Leadership, Indian Health Service, Tribal Health Providers, and Other Interested Parties:

Seeking advice and comments from New Mexico's Indian Nations, Tribes, Pueblos and their health care providers is an important component of the government-to-government relationship with the State of New Mexico. In accordance with the New Mexico Human Services Department's (HSD's) Tribal Notification to Request Advice and Comments process, this letter is to inform you that HSD, through the Medical Assistance Division (MAD), is accepting comments until **5:00 p.m. Mountain Time (MT) September 19, 2022**, regarding state plan amendment (SPA) 22-0020 Pasteurized Donor Human Milk.

Due to the national formula shortage, New Mexico Medicaid is implementing coverage for pasteurized donor human milk obtained from a member bank of the Human Milk Banking Association of North America, provided to hospitalized infants in acute care hospitals and for outpatient infants up to 12-months old when the mother is unable to breastfeed due to medical reasons (i.e., maternal complications at delivery, medical maternal/child separation, adoption, multiple gestations, low milk supply), that have a documented birth weight of less than 2500 grams and/or pre-term baby born before 37 weeks' gestation.

**Tribal Impact**

HSD anticipates a positive impact for Indian Nations, Tribes, and Pueblos and their health care providers.

**Tribal Advice and Comments**

Tribes and their healthcare providers may view the proposed changes, on the HSD webpage at: <https://www.hsd.state.nm.us/providers/written-tribal-consultations/> **Tribal Notification 22-24.**

**Important Dates**

**Written comments must be submitted by 5:00 p.m. Mountain Time (MT) September 19, 2022.** Please send your comments to the MAD Native American Liaison, **Theresa Belanger**, at (505) 670-8067 or by email at: [Theresa.Belanger@state.nm.us](mailto:Theresa.Belanger@state.nm.us). All written comments received will be posted on the HSD website at: <https://www.hsd.state.nm.us/providers/written-tribal-consultations/> along with this notification letter. The public posting will include the name and any contact information provided by the commenter.

**Tribal Leadership may request a government-to-government consultation by September 19, 2022.** This request may be made to: [Theresa.Belanger@state.nm.us](mailto:Theresa.Belanger@state.nm.us) or by calling (505) 670-8067.

Sincerely,



Nicole Comeaux, J.D., M.P.H.  
State Medicaid Director