

NMAC

Transmittal Form



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Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: New ☒ Amendment ☐ Repeal ☐ Emergency ☐ Renumber ☐ (ALD Use) Recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment):
Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes ☐ No ☒ Please list attachments or Internet sites if applicable.

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Specific statutory or other authority authorizing rulemaking:

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

Concise Explanatory Statement For Rulemaking Adoption:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

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A public hearing was held on April 9, 2026 to receive public comments and testimony. The HCA did not receive any comments. This rule is being implemented as proposed.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Kari Armijo

Check if authority has been delegated

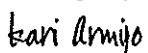
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Title:

Secretary

Signature: (BLACK ink only OR Digital Signature)

Date signed:

DocuSigned by:

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6/10/2026

TITLE 8 SOCIAL SERVICES
CHAPTER 310 HEALTH CARE PROFESSIONAL SERVICES
PART 14 JUST HEALTH PLUS-JUSTICE REENTRY SERVICES PROGRAM

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8.310.14.1 ISSUING AGENCY: New Mexico health care authority (HCA).
[8.310.14.1 NMAC - N, 8/1/2026]

8.310.14.2 SCOPE: The rule governs the delivery of 90-day pre-release services to individuals in correctional facilities that are medicaid eligible. This rule applies to all justice-involved individuals eligible for medicaid benefits under the JUST Health Plus program, to all providers delivering services under the program, participating correctional facilities, and managed care organizations.
[8.310.14.2 NMAC - N, 8/1/2026]

8.310.14.3 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 Section 27-2-12 et seq., NMSA 1978. Section 9-8-1 et seq. NMSA 1978 establishes the health care authority (HCA) as a single, unified department to administer laws and exercise functions relating to health care facility licensure and health care purchasing and regulation. Section 27-2-12.22. NMSA 1978 establishes that an individual's incarceration shall not be used as a basis for denying or terminating medicaid eligibility and authorizes HCA to suspend rather than terminate medicaid during incarceration and to accept and process applications for medicaid from incarcerated individuals.
[8.310.14.3 NMAC - N, 8/1/2026]

8.310.14.4 DURATION: The JUST Health Plus program is authorized through a medicaid section 1115 waiver authority. Continuation of the program is contingent upon federal approval of the waiver renewal or the availability of state budget appropriations. If the waiver is not renewed or funding is not appropriated, the program may be modified or terminated.
[8.310.14.4 NMAC - N, 8/1/2026]

8.310.14.5 EFFECTIVE DATE: August 1, 2026, unless a later date is cited at the end of a section.
[8.310.14.5 NMAC - N, 8/1/2026]

8.310.14.6 OBJECTIVE: The objective of these regulations is to establish standards for eligibility, benefits, provider participation, and reimbursement under the JUST Health Plus program, which covers a limited set of pre-release services for medicaid-eligible justice-involved individuals during the 90-day period prior to their release to the community.
[8.310.14.6 NMAC - N, 8/1/2026]

8.310.14.7 DEFINITIONS:

- A. Definitions beginning with "A": [RESERVED]**
- B. Definitions beginning with "B": [RESERVED]**
- C. Definitions beginning with "C":**

(1) "Case management" means services furnished to assist individuals in gaining access to needed medical, social, educational, and other services. Services include comprehensive assessment and periodic reassessment of individual needs, development and periodic revision of a specific care plan, referral and related activities, and monitoring and follow-up activities.

(2) "Certified peer support worker (CPSW)" means peer support workers who have successfully completed training with the behavioral health service division's office of peer recovery and engagement (OPRE) and have obtained certification from the New Mexico credentialing board of behavioral health professionals.

(3) "Children, youth, and families department (CYFD)" means the state agency overseeing juvenile justice services.

(4) "Community health worker (CHW)" means frontline public health workers who are trusted members of the community they serve. CHWs function as a liaison/link/intermediary between health and social services and communities to facilitate access to services and improve the quality and cultural competence of

service delivery.

(5) **“Community provider”** means an entity that provides health care services in the community. Certain community providers may provide JUST Health Plus services to individuals in correctional facilities either in person or via telehealth and be reimbursed by medicaid.

(6) **“Correctional facility”** means a state prison or county detention facility, whether operated by a government or private contractor, that is used for confinement of adult and youth persons.

(7) **“County detention facilities”** means detention centers operated by local governments used for the confinement of adult and youth persons.

D. Definitions beginning with “D”: [RESERVED]

E. Definitions beginning with “E”: [RESERVED]

F. Definitions beginning with “F”: [RESERVED]

G. Definitions beginning with “G”: [RESERVED]

H. Definitions beginning with “H”: [RESERVED]

I. Definitions beginning with “I”: [RESERVED]

J. Definitions beginning with “J”: [RESERVED]

K. Definitions beginning with “K”: [RESERVED]

L. Definitions beginning with “L”: [RESERVED]

M. Definitions beginning with “M”: **“Medication assisted treatment”** means the use of FDA-approved medications for the treatment of substance use disorder (SUD).

N. Definitions beginning with “N”: **“New Mexico corrections department (NMCD)”** means the state agency overseeing New Mexico prison facilities whether operated by state government or a private contractor.

O. Definitions beginning with “O”: [RESERVED]

P. Definitions beginning with “P”: [RESERVED]

Q. Definitions beginning with “Q”: [RESERVED]

R. Definitions beginning with “R”: **“Reentry services”** means resources offered that help individuals prepare for return to their communities after incarceration. Reentry services aim to reduce recidivism and improve public safety by supporting individuals toward independent living skills. Services may include psychological and financial counseling, education, skill development, employment, housing, transportation and various types of supportive services.

S. Definitions beginning with “S”:

(1) **“Screening and diagnostic services”** means the use of an evidence-based tool and process to identify diseases or other health conditions through established criteria.

(2) **“Substance use disorder (SUD)”** means a pattern of use of substances leading to clinical or functional impairment, in accordance with the definition in the diagnostic and statistical manual of mental disorders (DSM-5) of the American psychiatric association, or any subsequent editions.

T. Definitions beginning with “T”: [RESERVED]

U. Definitions beginning with “U”: [RESERVED]

V. Definitions beginning with “V”: [RESERVED]

W. Definitions beginning with “W”: [RESERVED]

X. Definitions beginning with “X”: [RESERVED]

Y. Definitions beginning with “Y”: [RESERVED]

Z. Definitions beginning with “Z”: [RESERVED]

[8.310.14.7 NMAC - N, 8/1/2026]

8.310.14.8 MISSION: We ensure that New Mexicans attain their highest level of health by providing whole-person, cost-effective, accessible, and high-quality health care and safety-net services.

[8.310.14.8 NMAC - N, 8/1/2026]

8.310.14.9 GENERAL PROGRAM DESCRIPTION: The New Mexico medicaid program (medicaid) pays for medically necessary health services furnished to eligible recipients. To help individuals reentering the community following incarceration, the New Mexico medical assistance division (MAD) has 1115 authority to pay for covered medical services provided to incarcerated medicaid eligible individuals up to 90 days before their release. This part describes eligible providers, covered services, service limitations, and general reimbursement methodology. *See the JUST Health Plus Policy and Billing Manual for additional information.*

[8.310.14.9 NMAC - N, 8/1/2026]

8.310.14.10 ELIGIBLE PROVIDERS:

A. The following providers are eligible to be reimbursed for furnishing JUST Health Plus services:

- (1) state operated facilities including NMCD facilities;
- (2) county detention facilities;
- (3) Tribal correctional facilities;
- (4) CYFD juvenile justice facilities;
- (5) community providers enrolled in medicaid;
- (6) providers employed by facilities noted in Paragraph (1)-(4) of Subsection A of

8.310.14.10 NMAC; and

- (7) third-party health care vendors.

B. Correctional facilities listed in Paragraph (1)-(4) of Subsection A of 8.310.14.10 NMAC must complete a readiness review process conducted by MAD to participate in JUST Health Plus in order to begin provision of services.

C. Correctional facilities who plan to bill medicaid for services must enroll as a medicaid provider with MAD. Once enrolled, providers receive a packet of information, including medicaid program policies, billing instructions, utilization review instructions, and other pertinent material from MAD. Providers are responsible for ensuring that they have received these materials and for updating them as new materials are received from MAD. Providers must be enrolled as a medicaid provider before submitting claims. See 8.302.2 NMAC, *billing for medicaid services*.

[8.310.14.10 NMAC - N, 8/1/2026]

8.310.14.11 PROVIDER RESPONSIBILITIES: Providers who furnish services to medicaid recipients must comply with all specified medicaid participation requirements. See 8.302.1 NMAC, *general provider policies*. Providers must verify that individuals are eligible for medicaid at the time services are furnished and determine if medicaid recipients have other health insurance. Providers must maintain records which are sufficient to fully disclose the extent and nature of the services provided to recipients. See 8.302.1 NMAC, *general provider policies*. [8.310.14.11 NMAC - N, 8/1/2026]

8.310.14.12 COVERED REENTRY SERVICES AND SERVICE LIMITATIONS: All services provided must be furnished in accordance with applicable federal, state, and local laws and regulations. Covered services must be furnished within the 90-day pre-release period.

A. The following are covered reentry services, organized by service level. Correctional facilities must be assessed as ready to provide either service level one, two, or three, and may not offer a higher service level until additional readiness to provide those services has been assessed:

- (1) Service Level 1:
 - (a) Case management;
 - (b) Medication assisted treatment, see 8.325.12 NMAC, *medication assisted treatment services in correctional settings*;
 - (c) 30-day supply of medications upon release; and
 - (d) Screening and diagnostic services for eligible justice-involved juveniles.

- (2) Service Level 2:
 - (a) All services in service level 1;
 - (b) Hepatitis C diagnosis and treatment;
 - (c) Community health worker services; and
 - (d) Certified peer support worker services.

- (3) Service Level 3:
 - (a) All services in service level 1 and 2;
 - (b) Diagnostic services, including laboratory and radiology;
 - (c) Prescribed drugs and medication administration;
 - (d) Medical equipment and supplies;
 - (e) Physical and behavioral health clinical consultation services; and
 - (f) Family planning services and supplies. (*Additional information on covered*

services, including service definitions, is detailed in the JUST Health Plus Policy and Billing Manual.)

[8.310.14.12 NMAC - N, 8/1/2026]

8.310.14.13 ELIGIBLE RECIPIENTS: An individual shall be eligible for services under JUST Health Plus

if the individual meets all of the following criteria:

- A. is incarcerated in an eligible correctional facility, see 8.310.14.10.4 NMAC;
- B. is determined eligible for full medicaid benefits;
- C. is within 90 days of their projected release date; and
- D. consents to participating in the JUST Health Plus program.

[8.310.14.13 NMAC - N, 8/1/2026]

8.310.14.14 PROVIDER REIMBURSEMENT: Providers and correctional facilities can receive medicaid reimbursement for the provision of pre-release services through several payment methodologies (*see the JUST Health Plus Policy and Billing Manual for additional information*).

[8.310.14.14 NMAC - N, 8/1/2026]

HISTORY OF 8.310.14 NMAC: [RESERVED]