

REGULATORY IMPACT FORM

SECTION I: GENERAL INFORMATION

Agency: <u>Human Services Department</u>	Short Title and Legal Citation: <u>8.314.5 NMAC, DEVELOPMENTAL DISABILITIES</u>
Enactment Date: _____	Last Updated: <u>12/1/2018</u>

SECTION II: FISCAL IMPACT

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		
0	0	0		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0	0	0

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: EXPLANATION

BACKGROUND:

- 1) Provide a brief summary of the proposed rule's intended purposes, goals, and the specific problem(s) that it addresses:

The Human Services Department (HSD) is seeking approval from the federal Centers for Medicare and Medicaid Services (CMS) to renew the Developmental Disabilities (DD) Home and Community-Based Services waiver. The purpose of amending 8.314.5 NMAC is to allow HSD to align the rule with the waiver renewal application.

- 2) How does this rule advance the agency's mission?

Amending 8.314.5 NMAC will allow HSD to continue providing support services to DD waiver Medicaid recipients.

ALTERNATIVE APPROACHES:

- 1) What non-regulatory alternatives were considered?

Not applicable

- 2) Briefly explain the costs and benefits of each alternative that were considered:

No applicable

- 3) How is this rule the best solution to the identified problem?

Amending the rule allows HSD to administer the DD waiver program in compliance with the 1915(c) waiver approved by CMS.

IMPACTS:

- 1) How will this rule increase or decrease the costs for businesses within the affected industry?

No impact

- 2) How will this rule increase or decrease the prices of goods and services for consumers?

No impact

- 3) How will this rule promote economic competition and growth in the state?

No impact

- 4) How will this rule impact public health and safety?

This rule will help to ensure health, welfare, and safety of the eligible DD waiver recipient or enable the eligible recipient to function with greater independence.

- 5) What would be the consequences of not adopting this rule?

HSD risks being out of compliance with the DD waiver approved by CMS if this rule is not adopted.

MEASURES OF SUCCESS:

- 1) What quantitative indicators will the agency use to measure effectiveness?

HSD will monitor the number of recipients receiving DD waiver services.

- 2) Describe how the agency will use the indicators listed above to monitor progress over time:

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MEASURES OF SUCCESS:

continued

2) Describe how the agency will use the indicators listed above to monitor progress over time:

HSD will use the indicators to support the need for the DD waiver program in New Mexico.