HEALTH CARE
AUTHORITY

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Date: November 3, 2026

To: Blue Cross Blue Shield of New Mexico (BCBSNM) Nancy Smith-Leslie, Plan President

From: Alanna Dancis, Acting Medicaid Director

CC: Keenan Ryan, Acting Chief Medical Officer; Michal Hayes, Senior Deputy Director; Jarel LaPan, Assistant Deputy Director; Miriam Rivera, Bureau Chief, Managed Care Oversight Bureau; Charles Canada, Bureau Chief, Compliance Bureau; Kresta Opperman-Snow, Bureau Chief, Program and Policy Bureau; Annabelle Martinez, Deputy Director, Behavioral Health Service Division

RE: Notice of Concern: Access to Medications for Opioid Use Disorder (MOUD), Including Sublocade

The New Mexico Health Care Authority (HCA), through its Managed Care Oversight Bureau (MCOB), is issuing this Notice of Concern regarding Blue Cross Blue Shield of New Mexico's (BCBSNM) coverage of Sublocade (extended-release buprenorphine injection) and access to medications used to treat substance use disorders. This notice concerns the requirements cited in N.M. Stat. § 59A-22B-8 (as applicable through N.M. Stat. § 27-2-12.27), Master Services Agreement (MSA) 24-630-8000-0029, and the Turquoise Care Policy Manual.

MSA §4.5.2 addresses coverage of medically necessary services consistent with 42 C.F.R. § 438.210(a)(5). HCA also identifies N.M. Stat. §59A-22B-8, MSA §4.10.3.11.9 and §4.10.3.11.22.2, and the Turquoise Care Policy Manual as governing requirements relevant to open formulary access for agents used to treat addiction. HCA is concerned that BCBSNM's configuration and coverage practices may be inconsistent with these requirements.

- On May 6, 2026, HCA requested information from BCBSNM regarding reported pharmacy claim rejections limiting Sublocade to one injection every 30 days. BCBSNM's online formulary also displayed a one-injection-per-30-days quantity limit, which contradicts FDA-approved dosing information, updated in February 2025, permitting a second initiation injection as early as seven days after the initial dose.
- BCBSNM's response indicated that its edits for Sublocade had not been updated to accommodate the accelerated initiation schedule. HCA subsequently communicated its expectation that BCBSNM cover the approved schedule. HCA did not receive a response to that follow-up communication.
- On August 3, 2026, HCA received a BCBSNM member-specific concern regarding access to Sublocade. BCBSNM acknowledged the configuration issue and initially estimated that correction would require sixty (60) days. HCA advised that this timeframe was unacceptable. BCBSNM subsequently stated that the correction could be completed by September 15, 2026, and that it would monitor claims and provide necessary overrides in the interim.

To address these ongoing concerns, BCBSNM must submit a written response that includes, at minimum, the following:

1. A signed attestation identifying the date BCBSNM completed a review of applicable MSA, preferred drug list (PDL), formulary, and policy requirements for medications used to treat substance use disorders, and describing the steps taken to ensure compliance.
    a. This must include assurances that BCBSNM's formulary is in alignment with HCA MSA and Turquoise Care Policy Manual requirements.
2. Current formulary and relevant claims-edit documentation for injectable buprenorphine products, including screenshots or other evidence showing applicable quantity limits, dosing restrictions, and coverage criteria. The response must specifically demonstrate that the FDA-approved accelerated Sublocade initiation schedule can be processed without inappropriate denials.
3. A signed attestation identifying any step-therapy or other utilization-management restrictions applicable to these medications, confirming that prohibited restrictions have been removed, and specifying the effective date of each correction.

BCBSNM must submit its response and supporting documentation to HCA-Deliverables@hca.nm.gov within 20 business days after receipt of this Notice of Concern.

Although BCBSNM may have corrected the Sublocade claims configuration, HCA requires documentation confirming that the issue has been resolved and that affected members have timely access to medically necessary medications. The reported member access barrier makes current verification of corrective action particularly important.

Failure to demonstrate compliance with the requirements identified in this Notice of Concern and any future inappropriate restrictions or delays affecting substance use disorder medications will constitute additional non-compliance and result in sanctions pursuant to MSA § 7.3.

Questions regarding this Notice of Concern may be directed to BCBSNM's assigned MCO contract manager.



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