



HEALTH CARE
AUTHORITY

Michelle Lujan Grisham, Governor
Kari Armijo, Secretary
Dana Flannery, Medicaid Director

February 13, 2025

RE: Tribal Notification to Request Advice and Comments Letter 25-05: Consolidated Appropriations Act (CAA) Coverage

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's Health Care Authority (HCA) Tribal Notification to Request Advice and Comments process, this letter is to inform you that the HCA, through the Medical Assistance Division (MAD), is accepting comments until 5:00 p.m. Mountain Time (MT) on March 13, 2025, regarding state plan amendment 24-0014, Consolidated Appropriations Act Coverage.

Effective January 1, 2025, New Mexico Medicaid will provide Targeted Case Management (TCM) services and screening and diagnostic services (consistent with Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) to eligible justice-involved youth in accordance with Section 5121 of the Consolidated Appropriations Act, 2023 (CAA).

The CAA, was signed into law on December 29, 2022, includes provisions impacting the availability of certain State Plan services for incarcerated youth in Medicaid and the Children's Health Insurance Program (CHIP). Under Section 5121, states must provide TCM services, including referrals to appropriate care and services available in the geographic region of the home or residence of the eligible juvenile, where feasible, under the Medicaid State Plan in the 30 days prior to release and for at least 30 days following release. States must provide screening and diagnostic services (consistent with EPSDT) in the 30 days prior to release or as soon as practicable upon release.

Individuals eligible for CAA Section 5121 services include those who are under 21 years of age who were determined eligible for any Medicaid eligibility group, or individuals determined eligible for the mandatory eligibility group for former foster care children ages 18 to 26, immediately before becoming an inmate of a public institution or while an inmate of a public institution. These provisions are effective January 1, 2025.

HCA posted for public comment its reimbursement methodology for TCM services which concluded on January 31, 2025. CMS issued standardized SPA coverage pages on January 10, 2025 which align with HCA's proposed SPA reimbursement pages; therefore, HCA is now posting

for public comment CAA coverage pages for TCM services and screening and diagnostic services. The updated financial impact from the proposed SPA is \$11,613.53 for Federal Fiscal Years 2025 and 2026. However, given the small number of projected eligible individuals, the State anticipates an insignificant negative fiscal impact.

Tribal Impact

The HCA does not anticipate any impact for Indian Nations, Tribes, and Pueblos and their health care providers with this change.

Tribal Advice and Comments

Tribes and their health care providers may view the proposed changes, on the HCA webpage at: <https://www.hca.nm.gov/providers/written-tribal-notification-letters/> 25-05.

Important Dates

Written comments must be submitted by 5:00 p.m. Mountain Time (MT) on March 13, 2025. Please send your comments to the MAD Native American Liaison, Theresa Belanger, at (505) 670-8067 or by email at: Theresa.Belanger@hca.nm.gov. All written comments received will be posted on New Mexico Medicaid website at: <https://www.hca.nm.gov/providers/written-tribal-notification-letters/> 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 March 13, 2025. This request may be made to: Theresa.Belanger@hca.nm.gov or by calling (505) 670-8067.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dana Flannery', is positioned above the typed name.

Dana Flannery
State Medicaid Director