



September 15, 2023

Human Services Department
Office of the Secretary
P.O. Box 2348
Santa Fe, NM 87504-2348

RE: Comments to Proposed Reimbursement Rate for Tribal 638 Nursing Facilities at the OMB Rate on or after August 18, 2023

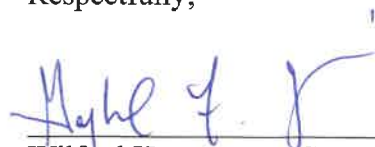
Honorable Secretary –

Thank you for the opportunity to provide comments on New Mexico’s proposal to reimburse Tribal 638 Nursing Facilities in the State at the Office of Management and Budget (OMB) rate. Such enhanced reimbursement is authorized by U.S. Department of Health and Human Services, Indian Health Service, under authority of Sections 321(a) and 322(b) of the Public Health Service Act (42 U.S.C. 248 and 249(b)), Public Law 83-568 (42 U.S.C. 2001(a)), and the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.). Reimbursement at the proposed OMB enhanced rate is completely born by the Federal government. Hence, implementing the enhanced OMB rate for Tribal 638 Nursing Facilities does not expend State Medicaid funding.

The Pueblo of Laguna Council unanimously and whole-heartedly adopted Resolution No. 94-22 supporting the consideration and implementation of an enhanced OMB reimbursement for Tribal 638 Nursing Facilities. The Council firmly believes that application of the allowable OMB enhanced reimbursement rate will significantly improve access to Native-specific long-term care services for elders in New Mexico. The Pueblo recognized the importance of providing culturally responsive skilled nursing care to tribal elders over 40 years ago when establishing the non-profit Laguna Rainbow Corporation. Reimbursement at the enhanced OMB rate will provide resources necessary to maintain and improve care programs and retain the quality skilled nursing staff who deliver “relational care” that is so important to the well-being of facility residents.

Laguna supports implementation of the proposed enhanced OMB rate for Tribal 638 Nursing Facilities. The Pueblo deeply appreciates the efforts of Medicaid Director Kellog, Acting Secretary Armijo, and Governor Grisham to institute improvements to the NM State Plan, which will produce significant federal funding to assure person-centered, culturally responsive care at Laguna, Mescalero Apache, and other Tribal 638 facilities.

Respectfully,



Wilfred Herrera, Jr., Governor



Memorandum

To : Pueblo of Laguna
Tribal Council, Departments, Entities, and Employees

From : Wilfred Herrera, Jr., Governor *WHJ*

Date : September 7, 2023

Subject: Delegation of Authority

This notice is to inform you that 1st Lt. Governor Gaylord Siow will be delegated Acting Governor while I am out of the office on travel with the All Pueblo Council of Governors to Washington, DC. With this delegation, Acting Governor Siow will have full authority to assume all responsibilities, duties, decision making and signature authority. Wesley Fernando will serve as Staff Officer for the Village of Mesita during this delegation.

These delegations will be effective Monday, September 11, 2023 beginning at 4:00 am and will conclude at 10:00 pm on Friday, September 15, 2023.

Your patience, cooperation and support are appreciated.

Sending everyone my regards and best wishes to you and all your families.