



State of New Mexico  
Health Care Authority  
**Human Services Register**



**I. DEPARTMENT**  
NEW MEXICO HEALTH CARE AUTHORITY

**II. SUBJECT**  
8.200.400 NMAC, MEDICAID ELIGIBILITY, GENERAL RECIPIENT RULES  
8.249.400 NMAC, REFUGEE MEDICAL ASSISTANCE (RMA) PROGRAM, RECIPIENT  
REQUIREMENTS  
8.249.600 REFUGEE MEDICAL ASSISTANCE (RMA) PROGRAM, BENEFIT  
DESCRIPTION

**III. PROGRAM AFFECTED**  
(TITLE XIX) MEDICAID

**IV. ACTION**  
EMERGENCY RULES

**V. BACKGROUND SUMMARY**  
The New Mexico Health Care Authority (HCA), through the Medical Assistance Division (MAD), has filed an emergency amendment to the New Mexico Administrative Code (NMAC) rule *8.200.400 NMAC-Medicaid Eligibility, General Recipient Rules, 8.249.400 NMAC-Refugee Medical Assistance (RMA) Program, 8.249.600-Refugee Medical Assistance (RMA) Program, Benefit Description*.

Section 9-8-6 NMSA 1978, authorizes the Department Secretary to promulgate rules and regulations that may be necessary to carry out the duties of the Department and its divisions.

Notice Date: May 20, 2025

Adoption Date: May 1, 2025

Technical Citations: Office of Refugee Resettlement (ORR) Notice of Change of Eligibility, FR Doc. 2025-04839, 45 CFR 400.211

**Background**

The Federal Office of Refugee Resettlement (ORR) issued notice on March 21, 2025, of a change to reduce the eligibility period for Refugee Medical Assistance (RMA) from 12 months to 4 months to avoid a significant budget shortfall. This applies to participants who become eligible for benefits 45 days after the publication date. A methodology has been established by

ORR to determine the time eligibility periods for RMA each year based on appropriated funds available for the fiscal year as described in 45 CFR 400.211.

**The HCA has amended the rules as follows:**

**8.200.400 NMAC**

Section 10 has been updated to change the RMA coverage period from 12 months to a period established yearly by the Office of Refugee Resettlement (ORR) based on appropriated funds for the fiscal year.

**8.249.400 NMAC**

Section 6 has been updated to change the RMA coverage period from 12 months to a period established yearly by the Office of Refugee Resettlement (ORR) based on appropriated funds for the fiscal year.

Section 8 has been updated to include the Departments current mission statement.

**8.49.600 NMAC**

Section 8 has been updated to include the Departments current mission statement.

Section 9 has been updated to change the RMA coverage period from 12 months to a period established yearly by the Office of Refugee Resettlement (ORR) based on appropriated funds for the fiscal year.

Section 11, 12, and 15 have been updated to remove the 12-month eligibility period.

**VI. RULES**

These amendments will be contained in 8.200.400, 8.249.400, and 8.249.600 NMAC. The emergency register and rule languages are available on the HCA website at: <https://www.hca.nm.gov/lookingforinformation/registers/> and <https://www.hca.nm.gov/lookingforinformation/medical-assistance-division-1/>. If you do not have internet access, a copy of the emergency register and rules may be requested by contacting the Medical Assistance Division at (505) 827-1337.

**VII. EFFECTIVE DATE**

These rules will have an effective date of May 1, 2025.

**VIII. PUBLICATION**

Publication of these rules approved by:

DocuSigned by:

*Kari Armijo*

4/22/2025

KARI ARMIJO, SECRETARY  
HEALTH CARE AUTHORITY