



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



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

**II. SUBJECT**  
8.200.510 NMAC-GENERAL RECIPIENT POLICIES RESOURCE STANDARDS  
8.200.520 NMAC-GENERAL RECIPIENT RULES-INCOME STANDARDS  
8.291.430 NMAC-AFFORDABLE CARE FINANCIAL RESPONSIBILITY REQUIREMENTS

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

**IV. ACTION**  
EMERGENCY RULE

**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) rules *8.200.510 NMAC-General Recipient Policies Resource Standards*, *8.200.520 NMAC General Recipient Rules-Income Standards*, and *8.291.430 NMAC-Affordable Care Financial Responsibility Requirements*.

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: April 8, 2025

Adoption Date: The COLA changes are effective January 1, 2025. The FPL changes are effective April 1, 2025.

Technical Citations: HHS 2025 Federal Poverty Guidelines and 2025 SSA COLA Fact Sheet

**Background**

The Department is amending these rules to implement the Department of Health and Human Services (HHS) updates to the Federal Poverty Level (FPL) income limits for Medicaid categories of eligibility to be effective April 1, 2025, as required by HHS. The Department is also implementing the annual cost of living allowance (COLA) increase that went into effect on January 1, 2025.

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

**8.200.510 NMAC**

Section 11 is amended to reflect current COLA for Community Spouse Resource Allowance. Section 12 is amended to reflect the current COLA for Post-Eligibility Calculation (Medical Care Credit).

Section 13 is amended to reflect the current COLA for Average Monthly Cost of Nursing Facilities for Private Patients.

Section 15 is amended to reflect the COLA for current Excess Home Equity Amount for Long-Term Care Services.

**8.200.520 NMAC**

Section 11 is amended to reflect updated FPL limits.

Section 12 is amended to reflect the COLA increase.

Section 13 is amended to reflect the increase in the Federal Benefit Rates.

Section 15 is amended to reflect the increase in SSI Living Arrangement Amounts.

Section 16 is amended to reflect the increase in the monthly income standard for Institutional Care and Home and Community Based Waiver Services Categories.

Section 20 is amended to reflect the increase in the Covered Quarter Income Standard.

**8.291.430 NMAC**

Section 10 is amended to reflect 2025 FPL guidelines.

**VI. RULES**

These amendments will be contained in 8.200.510, 8.200.520, and 8.291.430 NMAC. The emergency register and rule languages are available on the HCA website at:

<https://www.hca.nm.gov/lookingforinformation/registers/>. If you do not have internet access, a copy of the final register and rules may be requested by contacting the Medical Assistance Division at (505) 827-1337.

**VII. EFFECTIVE DATE**

The COLA rules are effective January 1, 2025. The FPL rules are effective April 1, 2025.

**VIII. PUBLICATION**

Publication of these rules approved by:

DocuSigned by:

*Kari Armijo*

3/13/2025

KARI ARMIGO, SECRETARY

NEW MEXICO HEALTH CARE AUTHORITY