

October 23, 2013

Dear Honorable Tribal Leader (I/T/U):

Consultation with New Mexico's Indian Nations, Tribes, Pueblos and their healthcare providers is an important component of the government-to-government relationship with the State of New Mexico. In accordance with the New Mexico Human Services Department's (HSD) Tribal Consultation requirements, this letter is to inform you that HSD is proposing to repeal a number of Medical Assistance Division (MAD) provider rules in order to reduce the number of specific rules and consolidate those services into broad service rules. HSD is also proposing amendments to a number of MAD provider rules in preparation for the implementation of Centennial Care. The State is seeking advice or comment from Native American communities on the proposed rules described below.

8.302.2 NMAC, Medicaid General Provider Policies, Billing for Medicaid Services: This rule is being amended to outline co-payments for services. Language in this rule exempts Native American Medicaid participants from all co-payments. These proposed changes will have no impact.

8.321.2 NMAC, Behavioral Health Services, Specialized Behavioral Health Enrollment and Reimbursement: This rule is consolidating fourteen unique behavioral health services rules into one broad rule to incorporate all thirteen behavioral health services into one service rule. This is meant to provide clarity and conciseness to this rule. The proposed changes will have no impact.

8.351.2 NMAC, Sanctions or Remedies, Sanctions and Remedies: The proposed rule is meant to clarify language and update language as required by the Patient Protection and Affordable Care Act (ACA). The proposed changes will have no impact.

8.352.2 NMAC, Administrative Hearings, Claimant Hearings: The proposed changes clarify language and update to meet most current laws and statutes. The proposed changes will have no impact.

8.352.3 NMAC, Administrative Hearings, Recipient Hearings: The proposed changes clarify language and update to meet most current laws and statutes. The proposed changes will have no impact.

You may send your comments or questions to our Native American Liaison for the Medical Assistance Division (MAD), Theresa Belanger at (505) 827-3122 or by email at: Theresa.Belanger@state.nm.us. The proposed rules are located for your review on MAD's website at: <http://www.hsd.state.nm.us/mad/TribalConsultation.html>.

Important Dates:

Comments will be received through **November 29, 2013**, to allow time for interested parties to submit their comments. All comments will be reviewed and recorded. HSD will incorporate recommended changes to these proposed rules whenever feasible. All comments and responses will be compiled and available after **December 22, 2013**.

The tentative public hearing date for the proposed Centennial Care MAD provider service rules is **December 2, 2013**. You will receive formal notice of the actual date, time and location of the hearing at least 30 days in advance.

The proposed rules have a projected effective date of **January 1, 2014**.

Included in this mailing of the tribal consultation requests are the proposed managed care benefit rules and new alternative benefit program rules.

Thank you in advance for your input and your continued support of HSD's Native American initiatives.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Julie B. Weinberg', with a stylized flourish at the end.

Julie B. Weinberg, Director
Medical Assistance Division