



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



HEALTH CARE  
AUTHORITY

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

**II. SUBJECT**  
8.312.2 NMAC, LONG TERM CARE SERVICES – NURSING SERVICES, NURSING  
FACILITIES

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

**IV. ACTION**  
FINAL RULE

**V. BACKGROUND SUMMARY**  
The New Mexico Health Care Authority (HCA) Register Volume 48, Register 6, dated March 24, 2025, issued the proposed New Mexico Administrative Code (NMAC) 8.312.2 NMAC, *Long Term Care Services – Nursing Services, Nursing Facilities*.

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: March 25, 2025

Hearing Date: April 24, 2025

Adoption Date: August 1, 2025

Technical Citations: State Plan Amendment (SPA) 21-0012, Nursing Facility (NF) Ventilator Services.

A public hearing was held on April 24, 2025, to receive public comments and testimony on this proposed rule. The Health Care Authority did not receive any comments on the proposed changes. This rule is being implemented as proposed.

**VI. RULE**  
These amendments will be contained in 8.312.2 NMAC. The final register and rule language is available on the HCA website at: <https://www.hca.nm.gov/lookingforinformation/register/> and <https://www.hca.nm.gov/providers/rules-nm-administrative-code/>. 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**

This rule will have an effective date of August 1, 2025.

#### **VIII. PUBLICATION**

Publication of this rule is approved by:

DocuSigned by:

*Kari Armijo*

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KARI ARMIJO, SECRETARY  
HEALTH CARE AUTHORITY