



State of New Mexico
Human Services Department
Human Services Register



I. DEPARTMENT

NEW MEXICO HUMAN SERVICES DEPARTMENT

II. SUBJECT

- 8.215.500 NMAC, SUPPLEMENTAL SECURITY INCOME METHODOLOGY, INCOME AND RESOURCE STANDARDS
8.240.500 NMAC, QUALIFIED MEDICARE BENEFICIARIES, INCOME AND RESOURCE STANDARDS
8.242.500 NMAC, QUALIFIED DISABLED INDIVIDUALS WHOSE INCOME EXCEEDS QMB AND SLIMB, INCOME AND RESOURCE STANDARDS
8.245.500 NMAC, SPECIFIED LOW INCOME MEDICARE BENEFICIARIES, INCOME AND RESOURCE STANDARDS
8.250.500 NMAC, QUALIFIED DISABLED INDIVIDUALS, INCOME AND RESOURCE STANDARDS

III. PROGRAM AFFECTED

(TITLE XIX) MEDICAID

IV. ACTION

FINAL RULES

V. BACKGROUND SUMMARY

New Mexico Human Services Register Volume 43, Register 14, dated August 25, 2020, issued the proposed rules *8.215.500 NMAC-Supplemental Security Income Methodology, Income and Resource Standards*; *8.240.500 NMAC-Qualified Medicare Beneficiaries, Income and Resource Standards*; *8.242.500 NMAC-Qualified Disabled Individuals Whose Income Exceeds QMB and SLIMB, Income and Resource Standards*; *8.245.500 NMAC-Specified Low Income Medicare Beneficiaries, Income and Resource Standards*; *8.250.500 NMAC-Qualified Disabled Individuals, Income and Resource Standards*.

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: December 15, 2020

Hearing Date: September 25, 2020

Adoption Date: January 1, 2021

Technical Citations: Social Security Act Section 1905(p) and 1905(s)

A public hearing was held on September 25, 2020 to receive public comments and testimony on these proposed rules. The Human Services Department (the Department) received no oral or written comments. These rules are being implemented as proposed with one exception. The one exception is the resource limit will continue for Qualified Disabled Working Individuals (QDWI). The Centers for Medicare and Medicaid Services (CMS) does not allow the elimination of resources for QDWI in the state plan. The resource requirement for the following Medicare Savings Programs will be eliminated as proposed: Qualified Medicare Beneficiaries (QMB), Specified Low Income Medicare Beneficiaries, (SLIMB), and Qualified Individuals 1 (QI1). 8.242.500 NMAC will only be amended to update the Department's mission statement and the chapter name.

VI. RULES


These amendments will be contained in 8.215.500, 8.240.500, 8.242.500, 8.245.500, and 8.250.500 NMAC. The final register and rule languages are available on the HSD website at: <https://www.hsd.state.nm.us/LookingForInformation/registers.aspx> and <https://www.hsd.state.nm.us/LookingForInformation/medical-assistance-division-1.aspx>. 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

These rules will have an effective date of January 1, 2021.

VIII. PUBLICATION

Publication of these rules approved by:

DocuSigned by:

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HUMAN SERVICES DEPARTMENT