



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



HEALTH CARE
AUTHORITY

I. DEPARTMENT NEW MEXICO HEALTH CARE AUTHORITY

II. SUBJECT 8.308.12 NMAC, MANAGED CARE PROGRAM, COMMUNITY BENEFIT

III. PROGRAM AFFECTED (TITLE XIX) MEDICAID

IV. ACTION FINAL RULE

V. BACKGROUND SUMMARY

The New Mexico Health Care Authority (HCA) Register Volume 48, Register 21, dated June 9, 2025, issued the proposed New Mexico Administrative Code (NMAC) 8.308.12, *Managed Care Program, Community Benefit*.

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: June 10, 2025

Hearing Date: July 14, 2025

Adoption Date: November 1, 2025

Technical Citations: NM Turquoise Care 1115 Waiver

A public hearing was held on July 14, 2025, to receive public comments and testimony on this proposed rule. The Health Care Authority received two comments on the proposed changes. This rule is being implemented as proposed.

Comments: Two comments were received in support of the proposed changes. One of those commentors stated they were in support of the proposed amendments to Subsection G which would be in alignment with the approved CMS 1115 Waiver for Environmental Modifications. Commentor stated that these modifications have a profound impact on recipients, enabling them to remain safely in their own homes with enhanced access to their living spaces and bathrooms. The proposed increase from the previous \$5,000.00 limit to the approved \$6,000.00 would facilitate the implementation of additional modifications at their home. Frequently, this

\$1,000.00 increase would enable the installation of additional door widening within the home, ADA toilets, and other necessary modifications.

Department: HCA appreciates your comments and your support of our implemented changes.

VI. RULE

These amendments will be contained in 8.308.12 NMAC. The final register and rule language is available on the HCA website at: <https://www.hca.nm.gov/lookingforinformation/registers/> 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 rule may be requested by contacting the Medical Assistance Division at (505) 827-1337.

VII. EFFECTIVE DATE

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

VIII. PUBLICATION

Publication of this rule is approved by:

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KARI ARMIJO, SECRETARY
HEALTH CARE AUTHORITY