



State of New Mexico
Health Care Authority
Human Services Register



HEALTH CARE
AUTHORITY

I. DEPARTMENT
NEW MEXICO HEALTH CARE AUTHORITY

II. SUBJECT
8.321.12 NMAC, SPECIALIZED BEHAVIORAL HEALTH SERVICES,
CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS

III. PROGRAM AFFECTED
(TITLE XIX) MEDICAID

IV. ACTION
FINAL RULE

V. BACKGROUND SUMMARY

The New Mexico Health Care Authority (HCA) Register Volume 48, Register 24, dated June 23, 2025, issued the proposed New Mexico Administrative Code (NMAC) 8.321.12, Specialized Behavioral Health Services, Certified Community Behavioral Health Clinics.

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 24, 2025

Hearing Date: July 25, 2025

Adoption Date: December 1, 2025

Technical Citations: Section 223 of the Protecting Access to Medicare Act of 2014, Public Law 113-93, as amended by the Section 11001 of the Bipartisan Safer Communities Act of 2022, Public Law 117-159

A public hearing was held on July 25, 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.

Comment: A.15 - incident reporting - it is unclear if state is requiring CCBHC to submit CIR's in a manner not consistent with BH CIR guidelines and sentinel events. Please clarify this language.

Department: The requirements for CCBHCs reporting critical incidents are not different from the behavioral health critical incident reporting standards.

Comment: 8.321.12.12 APPLICATION AND CERTIFICATION PROCESS - Please consider adding in the possibility of deemed CCBHC status for an agency in good standing and accredited as CCBHC by CARF, Joint Commission, as a means to reduce administrative burden and increase pathways for expansion of CCBHC.

Department: Thank you for your comment. HCA will not be adding the suggested language at this time.

VI. RULE

These amendments will be contained in 8.321.12 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 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 December 1, 2025.

VIII. PUBLICATION

Publication of this rule is approved by:

DocuSigned by:



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KARI ARMIJO, SECRETARY
HEALTH CARE AUTHORITY