



**State of New Mexico
Human Services Department
Human Services Register**



I. DEPARTMENT

NEW MEXICO HUMAN SERVICES DEPARTMENT

II. SUBJECT

- 8.200.400 NMAC-GENERAL RECIPIENT RULES-GENERAL MEDICAID ELIGIBILITY
 - 8.200.410 NMAC-GENERAL RECIPIENT RULES-GENERAL RECIPIENT REQUIREMENTS
- 8.231.400 NMAC-MEDICAID ELIGIBILITY-INFANTS OF MOTHERS WHO ARE MEDICAID ELIGIBLE RECIPIENT POLICIES
- 8.231.600 NMAC-MEDICAID ELIGIBILITY-INFANTS OF MOTHERS WHO ARE MEDICAID ELIGIBLE BENEFIT DESCRIPTION
- 8.234.400 NMAC-MEDICAID ELIGIBILITY-SSI INELIGIBILITY -DUE TO INCOME OR RESOURCES FROM AND ALIEN SPONSOR RECIPIENT REQUIREMENTS
- 8.234.500 NMAC-MEDICAID ELIGIBILITY-SSI INELIGIBILITY -DUE TO INCOME OR RESOURCES FROM AND ALIEN SPONSOR INCOME AND RESOURCE STANDARDS
- 8.243.400 NMAC-MEDICAID ELIGIBILITY-WORKING DISABLED INDIVIDUALS RECIPIENT POLICIES
- 8.249.400 NMAC-MEDICAL ASSISTANCE PROGRAM ELIGIBILITY -REFUGEE MEDICAL ASSISTANCE PROGRAM RECIPIENT REQUIREMENTS
- 8.249.500 NMAC-MEDICAL ASSISTANCE PROGRAM ELIGIBILITY -REFUGEE MEDICAL ASSISTANCE PROGRAM INCOME AND RESOURCE STANDARDS
- 8.250.400 NMAC-MEDICAL ASSISTANCE PROGRAM ELIGIBILITY-QUALIFIED DISABLED INDIVIDUALS RECIPIENT POLICIES
- 8.252.400-MEDICAID ELIGIBILITY BREAST AND CERVICAL CANCER PROGRAM
- 8.280.400 NMAC-MEDICAID ELIGIBILITY-PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE) RECIPIENT POLICIES
- 8.285.400 NMAC-MEDICAID ELIGIBILITY-EMERGENCY MEDICAL ASSISTANCE FOR ALIENS RECIPIENT REQUIREMENTS
- 8.285.500 NMAC-MEDICAID ELIGIBILITY-EMERGENCY MEDICAL SERVICES FOR ALIENS INCOME AND RESOURCE STANDARDS
- 8.285.600 NMAC-MEDICAID ELIGIBILITY-EMERGENCY MEDICAL SERVICES FOR ALIENS BENEFIT DESCRIPTION
- 8.291.410 NMAC-MEDICAID ELIGIBILITY – AFFORDABLE CARE GENERAL RECIPIENT REQUIREMENTS
- 8.292.500 NMAC-MEDICAID ELIGIBILITY-PARENT CARETAKER RECIPIENT INCOME AND RESOURCE STANDARDS

- 8.293.500 NMAC-MEDICAID ELIGIBILITY-PREGNANT WOMEN RECIPIENT INCOME AND RESOURCE STANDARDS
- 8.294.500 NMAC-MEDICAID ELIGIBILITY-PREGNANCY-RELATED SERVICES RECIPIENT INCOME AND RESOURCE STANDARDS
- 8.295.500 NMAC-MEDICAID ELIGIBILITY-CHILDREN UNDER 19 RECIPIENT INCOME AND RESOURCE STANDARDS
- 8.296.500 NMAC-MEDICAID ELIGIBILITY-OTHER ADULTS RECIPIENT INCOME AND RESOURCE STANDARDS
- 8.299.500 NMAC-MEDICAID ELIGIBILITY-FAMILY PLANNING SERVICES RECIPIENT INCOME AND RESOURCE STANDARDS
- 8.325.10 NMAC-SPECIALTY SERVICES-EMERGENCY MEDICAL SERVICES FOR ALIENS

III. PROGRAM AFFECTED (TITLE XIX) MEDICAID

IV. ACTION FINAL RULES

V. BACKGROUND SUMMARY

The New Mexico Human Services Register Volume 44, Register 22, dated August 24, 2021, issued the proposed New Mexico Administrative Code (NMAC) rule 8.200.400 *NMAC-General Recipient Rules-General Medicaid Eligibility*, 8.200.410 *NMAC-General Recipient Rules-General Recipient Requirements*, 8.231.400 *NMAC-Medicaid Eligibility-Infants of Mothers Who Are Medicaid Eligible Recipient Policies*, 8.231.600 *NMAC-Medicaid Eligibility-Infants of Mothers Who Are Medicaid Eligible Benefit Description*, 8.234.400 *NMAC-Medicaid Eligibility-SSI Ineligibility-Due to Income or Resources from an Alien Sponsor Recipient Requirements*, 8.234.500 *NMAC-Medicaid Eligibility-SSI Ineligibility -Due to Income or Resources from an Alien Sponsor, Income and Resource Standards*, 8.243.400 *NMAC-Medicaid Eligibility-Working Disabled Individuals Recipient Policies*, 8.249.400 *NMAC-Medical Assistance Program Eligibility-Refugee Medical Assistance Program Recipient Requirements*, 8.249.500 *NMAC-Medical Assistance Program Eligibility -Refugee Medical Assistance Program, Income and Resource Standards*, 8.250.400 *NMAC-Medical Assistance Program Eligibility-Qualified Disabled Individuals, Recipient Policies*, 8.252.400 *NMAC-Medicaid Eligibility Breast and Cervical Cancer Program*, 8.280.400 *NMAC-Medicaid Eligibility-Program of All-Inclusive Care for the Elderly (PACE), Recipient Policies*, 8.285.400 *NMAC-Medicaid Eligibility-Emergency Medical Assistance For Aliens Recipient Requirements*, 8.285.500 *NMAC-Medicaid Eligibility-Emergency Medical Services for Aliens, Income And Resource Standards*, 8.285.600 *NMAC-Medicaid Eligibility-Emergency Medical Services for Aliens, Benefit Description*, 8.291.410 *NMAC-Medicaid Eligibility- Affordable Care General Recipient Requirements*, 8.292.500 *NMAC-Medicaid Eligibility-Parent Caretaker Recipient Income and Resource Standards*, 8.293.500 *NMAC-Medicaid Eligibility-Pregnant Women Recipient Income and Resource Standards*, 8.294.500 *NMAC-Medicaid Eligibility-Pregnancy-Related Services Recipient Income and Resource Standards*, 8.295.500 *NMAC-Medicaid Eligibility-Children Under 19 Recipient Income and Resource Standards*, 8.296.500 *NMAC-Medicaid Eligibility-Other Adults Recipient*

Income and Resource Standards, 8.299.500 NMAC-Medicaid Eligibility-Family Planning Services Recipient Income And Resource Standards, and 8.325.10 NMAC-Specialty Services-Emergency Medical Services For Aliens.

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: August 24, 2021

Hearing Date: September 24, 2021

Adoption Date: January 1, 2022

Technical Citations: Section 208 of the Consolidated Appropriations Act, 2021; 42 Code of Federal Regulation 435.603(h)(2)

A public hearing was held on September 24, 2021 to receive public comments and testimony on these proposed rules. The Human Services Department (the Department) did not receive oral or written comments. This rule is being implemented as proposed.

VI. RULES

These amendments will be contained in 8.200.400, 8.200.410, 8.231.400, 8.231.600, 8.234.400, 8.234.500, 8.243.400, 8.249.400, 8.249.500, 8.250.400, 8.252.400, 8.280.400, 8.285.400, 8.285.500, 8.285.600, 8.291.410, 8.292.500, 8.293.500, 8.294.500, 8.295.500, 8.296.500, 8.299.500, 8.325.10. The final register and rule languages are available on the HSD website at: <https://www.hsd.state.nm.us/lookingforinformation/register/> and <https://www.hsd.state.nm.us/lookingforinformation/medical-assistance-division-1/> and <https://www.hsd.state.nm.us/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

These rules will have an effective date of January 1, 2022.

VIII. PUBLICATION

Publication of these rules approved by:

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HUMAN SERVICES DEPARTMENT