



**Michelle Lujan Grisham, Governor**  
Kari Armijo, Secretary  
Alanna Dancis, Acting Medicaid Director

March 1, 2026

**Interested Parties:**

The Medical Assistance Division (MAD) of the Health Care Authority (HCA) is seeking approval from the Centers for Medicare and Medicaid Services regarding renewal of the 1915c Home and Community-Based Services (HCBS) Medically Fragile Waiver. The State intends to submit the renewal to the Centers for Medicare and Medicaid Services (CMS) on April 1, 2026.

The key components of the proposed changes under the waiver amendment are as follows:

1. Throughout the document, language was removed related to the Joint Powers Agreement as it is no longer relevant due to the creation of the Health Care Authority (HCA) which encompasses both the Medical Assistance Division, and the Developmental Disabilities Supports Division. This change includes removal of all references of the Department of Health (DOH) and Human Services Department (HSD). The HCA is both the administering and operating agency for the waiver.
2. Throughout the document, the terms “Case Management Agency” and “University of New Mexico Center for Developmental Disabilities Nurse Case Management” were updated to “Nurse Case Management Agency.” In addition, all references to “Case Manager” were updated to “Nurse Case Manager.”
3. Appendix A: Language differentiating between the roles and responsibilities of the administrative and operational agencies was removed due to the creation of the Health Care Authority. The performance measure tracking the percentage of delegated functions/deliverables specified in the Joint Powers of Agreement (JPA) with which DOH is compliant was eliminated.
4. Appendix B and J: Projections for unduplicated recipient counts were updated in tables B-3a and J-2-a.
5. Appendix B-7: Freedom of Choice, Procedures: Language was updated to clarify procedural step and maintenance of records.
6. Appendix B-8: Participant Access and Eligibility. Language was updated to reflect current resources.
7. Appendix C: Annual capped dollar amounts were increased to align with updated provider rates and ensure participants continue to have adequate access to needed services.
8. Appendix C1/C3: Acupuncture, Biofeedback, Chiropractic, Cognitive Rehabilitation Therapy, Hippotherapy, Naprapathy, Play Therapy, and Music Therapy were added as covered services.

9. Appendix C1/C3: For congruency among services and waivers, language was updated under all services in the section of Other Standards, Entity Responsible for Verification, and Frequency of Verification.
10. Appendix C and I: Language was removed related to temporary additional funding previously available through the American Rescue Plan Act (ARPA) of 2021, as this funding is no longer available to states.
11. Appendix C-2. a: Language regarding criminal history and/or background investigations was updated.
12. Appendix C-2. b: Clarifying language was added to Abuse Registry Screening to ensure the continuity of care when a service provider is added to the abuse registry.
13. Appendix D: Language related to service plan development process, implementation and monitoring was updated.
14. Appendix F: Language related to additional dispute resolution and the grievance complaint system was updated.
15. Appendix G: Language was updated to clarify responsibility for reviewing and responding to critical events or incidents, as well as reporting and follow-up requirements to align with the creation of the HCA.
16. Appendix H: Language was updated to describe how the state identifies trends, prioritizes emerging issues, and incorporates them into system implementation.
17. Appendix I: Language was updated to reflect the current financial integrity and accountability process, and current rate methodologies.

A written copy of these documents may be requested by contacting the HCA Developmental Disabilities Supports Division (HCA/DDSD) in Santa Fe at (505) 827-1337.

### **Important Dates**

A public hearing to receive testimony on this proposed waiver renewal will be held on **March 30, 2026, at 10:30 a.m., Mountain Time (MT)**. The hearing will be held in the Large Conference Room at the Administrative Services Division (ASD), 1474 Rodeo Rd., Santa Fe, NM 87505 and via Microsoft Teams.

### **Microsoft Teams meeting**

**Join:** <https://teams.microsoft.com/meet/26928763435801?p=EqWtX5SH1k2xJSnhOm>

Meeting ID: 269 287 634 358 01

Passcode: ba2Sx68v

### **Dial in by phone**

[+1 505-312-4308](tel:+15053124308), [109096545#](tel:+15053124308) United States, Albuquerque

Phone conference ID: 109 096 545#

Interested parties may submit written comments directly to: Health Care Authority, Office of the Secretary, ATT: Medical Assistance Division Public Comments, P.O. Box 2348, Santa Fe, New Mexico 87504-2348.

### **New Mexico Health Care Authority**

Medical Assistance Division | PO Box 2348 - Santa Fe, NM 87504 | Phone: (505) 827-3100 Fax: (505) 827-3135

Recorded comments may be left at (505) 827-1337. Interested persons may also address comments via electronic mail to: [HCA-madrules@hca.nm.gov](mailto:HCA-madrules@hca.nm.gov). Written mail, electronic mail and recorded comments must be received no later than **5:00 p.m. Mountain Time (MT) on March 30, 2026**. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.