



Michelle Lujan Grisham, Governor
Kari Armijo, Cabinet Secretary
Alex Castillo Smith, Deputy Secretary
Kathy Slater-Huff, Deputy Secretary
Niki Kozlowski, Acting Deputy Secretary
Alanna Dancis, Acting Medicaid Director

February 23, 2026

Interested Parties:

The New Mexico Health Care Authority (HCA), through the Behavioral Health Services Division (BHSD), is proposing to amend the New Mexico Administrative Code (NMAC) rule 8.321.10 NMAC, Opioid Treatment Programs.

Section 9-8-1 et seq. NMSA 1978 establishes the Health Care Authority (Authority) as a single, unified department to administer laws and exercise functions relating to health care facility licensure and health care purchasing and regulation. [8.321.10.3 NMAC - N, 7/1/2024]

Notice Date: **February 23, 2026**

Hearing Date: **March 24, 2026**

Adoption Date: **April 24, 2026**

Technical Citations: **Part 8 of Title 42 Code of Federal Regulations (CFR)**

Background

HCA is re-promulgating these rules to align with federal regulations outlined in Part 8 of Title 42 Code of Federal Regulations (CFR), which went into effect on April 2, 2024. This rule expands access to medications for opioid use disorder treatment, reduces stigmatizing language and practices, supports a patient-centered approach, and promotes provider flexibility in providing care. These rules specify the standards identified as essential for effective treatment in OTPs.

The Health Care Authority is proposing to repeal and replace the rule as follows:

8.321.10 NMAC

Sections 1 - 32 have been amended to reflect updated CFR changes.

I. RULE

These proposed rule changes will be contained in 8.321.10 NMAC. This register and the proposed rule are available on the HCA website at: hca.nm.gov/lookingforinformation/registers and hca.nm.gov/comment-period-open-2026/. If you do not have internet access, a copy of the proposed register and rule may be requested by contacting Behavioral Health Services Division at (505) 827-1337.

II. EFFECTIVE DATE

The Health Care Authority proposes implementing this rule effective April 24, 2026

III. PUBLIC HEARING



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A public hearing to receive testimony on this proposed rule will be held on March 24, 2026, at 10:00 am. The hearing will be held in the Conference Room at the New Mexico Health Care Authority's Behavioral Health Services Division, 37 Plaza la Prensa, Santa Fe, NM 87507 and via Zoom.

Join Zoom Meeting

Topic: **NMAC 8.321.10 Opioid Treatment Programs**

Time: Mar 24, 2026 10:00 AM Mountain Time (US and Canada)

<https://us02web.zoom.us/j/88098899503?pwd=84M0Y8n3yyFSLaxO2SHwAlHNLIaHLV.1>

Meeting ID: 880 9889 9503

Passcode: 401112

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Join instructions

https://us02web.zoom.us/meetings/88098899503/invitations?signature=KDUVL6gZfJYz8Ho_sosEptw_dhDUIjImsOiCLOGRINEM

If you are a person with a disability and you require this information in an alternative format or require special accommodation to participate in the public hearing, please contact the Behavioral Health Services Division in Santa Fe at (505) 470-8378. The HCA requests at least ten (10) working days advance notice to provide requested alternative formats and special accommodations.

Copies of all comments will be made available by the Behavioral Health Services Division upon request by providing copies directly to a requestor or by making them available on the HCA website or at a location within the county of the requestor.

IV. ADDRESS

Interested persons may address written comments to:

New Mexico Health Care Authority
Office of the Secretary
ATTN: Behavioral Health Services Division Public Comments
P.O. Box 2348
Santa Fe, New Mexico 87504-2348

Recorded comments may be left at (505) 470-8378. Interested persons may also address comments via electronic to **hca-SOTA.Admin@hca.nm.gov**. Written mail, electronic mail and recorded comments must be received **no later than 5:00 p.m. MDT on March 24, 2026.**



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Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments received will be posted as they are received on the HCA website at <https://www.hca.nm.gov/behavioral-health-services-division-registers/> and [hca.nm.gov/2026-comment-period-open/](https://www.hca.nm.gov/2026-comment-period-open/) along with the applicable register and rule. The public posting will include the name and any contact information provided by the commenter