



**Michelle Lujan Grisham, Governor**  
Kari Armijo, Secretary Designate  
Alex Castillo Smith, Deputy Secretary  
Kathy Slater Huff, Deputy Secretary  
Kyra Ochoa, Deputy Secretary

June 14, 2024

Interested Parties:

The Human Services Department (the Department), Medical Assistance Division (MAD), is seeking approval from the Centers for Medicare and Medicaid Services regarding amendments to New Mexico's Home and Community-Based Services (HCBS) 1915(c) Waivers: Developmental Disabilities Waiver (DDW) NM.0173.R07.06; Medically Fragile Waiver (MFW) NM.0223.R06.06; and Mi Via Waiver NM.0448.R03.06.

The State intends to submit the amendments to the Centers for Medicare and Medicaid Services (CMS) on July 19, 2024, to implement rate increases as recommended through the Department of Health, Developmental Disabilities and Supports Division rate study completed in 2023.

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

**Developmental Disabilities Waiver (DDW) NM.0173.R07.06:** Implement rate increase funded through state fiscal year 2024 legislative appropriation for the following services: Behavioral Support Consultation Standard; Behavioral Support Consultation Incentive; Case Management Ongoing; Community Integrated Employment Job Maintenance; Customized Community Support Individual; Customized Community Support Group Category 1; Customized Community Support Group Category 2 Extensive Support; Family Living; Supported Living Category 4 Extraordinary Medical/Behavioral Support; Adult Nursing Services RN; Adult Nursing Services LPN; Respite; Socialization and Sexuality Education Standard; Socialization and Sexuality Education Incentive; Occupational Therapy Standard; Occupational Therapy Incentive; Occupational Therapy Assistant Standard; Occupational Therapy Assistant Incentive; Physical Therapy Standard; Physical Therapy Incentive; Physical Therapy Assistant Standard; Physical Therapy Assistant Incentive; Speech Language Pathology Standard; Speech Language Pathology Incentive; and Environmental Modifications. Updates were made to Appendix 1-2a, J-2-c-i, and J-2c-d waiver years 4-5.

**Medically Fragile Waiver (MFW) NM.0223.R06.06:** Implement rate increase funded through state fiscal year 2024 legislative appropriation for the following services: Case Management Ongoing; Home Health Aide; Private Duty Nursing RN; Private Duty Nursing LPN; Respite Home Health Aide; Respite Home Health Aide; Respite LPN; Respite RN; and Environmental Modifications. Updates were made to Appendix 1-2a, J-2-c-I, and J-2c-d waiver years 4-5.

**Mi Via Waiver NM.0448.R03.06:** Implement rate increase funded through state fiscal year 2024 legislative appropriation for the following services: Behavioral Support Consultation; Behavior Support Consultation Incentive; Community Direct Support; Customized Community Group

Supports; Consultant Services; In-Home Living Supports; Private Duty Nursing Adults RN; Respite Standard; Physical Therapy; Physical Therapy Incentive; Occupational Therapy; Occupational Therapy Incentive; Speech Language Pathology; Speech Language Pathology Incentive; Transportation Mile; and Environmental Modifications. Updates were made to Appendix 1-2a, J-2-c-I, and J-2c-d waiver years 4-5.

A public hearing will be held on **Wednesday, July 17, 2024, at 9:00 a.m., Mountain Time (MT).** The conference call toll-free number is: **800-747-5150, Access Code: 0440241.**

The waiver amendments are available on the HSD website at <https://www.hsd.state.nm.us/2024-comment-period-open/>.

**Please use the Microsoft Edge or Google Chrome internet browser to access and navigate the website. Internet Explorer may not display the full HSD Website.**

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

Recorded comments may be left at (505) 827-1337. Interested persons may also address comments via electronic mail to: [HSD-madrules@hsd.nm.gov](mailto:HSD-madrules@hsd.nm.gov). Written mail, electronic mail and recorded comments must be received no later than **5:00 p.m. Mountain Time (MT) on July 17, 2024.** Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.