



State of New Mexico
Human Services Department
Human Services Register



I. DEPARTMENT

NEW MEXICO HUMAN SERVICES DEPARTMENT (HSD)

II. SUBJECT

IMPLEMENTATION OF 2017 FEDERAL POVERTY
GUIDELINES IN AFFECTED MEDICAID CATEGORIES

III. PROGRAM AFFECTED
(TITLE XIX) MEDICAID

IV. ACTION
EMERGENCY RULES

V. BACKGROUND SUMMARY

The Human Services Department (Department) has filed an emergency rule in order to implement the Department of Health and Human Services (HHS) updates to the Federal Poverty Level (FPL) income guidelines for the Medical Assistance Program (MAP) Categories of eligibility to be effective September 14, 2017, as required by (HHS). The Department is holding a public hearing on October 26, 2017 to receive testimony on the emergency rules of 8.200.520 NMAC and 8.291.430 NMAC and to receive written, recorded, or electronic comments.

Highlights:

- Sections 11 of 8.200.520 NMAC *Medicaid Eligibility Income Standards* will be amended to reflect current FPL mandates.
- Section 10 of 8.291.430 NMAC *Medicaid Eligibility Affordable Care* will be amended to reflect current FPL mandates.
- A current recipient or new applicant's eligibility for a MAP category of eligibility may be affected based on updated income limits.

VI. REGULATIONS

These regulations will be contained in 8.200.520 NMAC and 8.291.430 NMAC of the Medical Assistance Division Program Manual. The register and proposed rule language are available on the HSD website at:

<http://www.hsd.state.nm.us/LookingForInformation/registers.aspx>

<http://www.hsd.state.nm.us/public-notice-proposed-rule-and-waiver-changes-and-opportunities->

[to-comment.aspx](#). If you do not have internet access, a copy of the register and rule may be requested by contacting MAD at 505-827-6252.

VII. EFFECTIVE DATE

The Department proposes to implement these rules effective September 14, 2017.

VIII. PUBLIC HEARING

A public hearing to receive testimony on these emergency rules will be held in Hearing Room 1, Toney Anaya Building, 2550 Cerrillos Road, Santa Fe, New Mexico October 26, 2017 at 10 a.m, Mountain Daylight Time (MDT).

If you are a person with a disability and you require this information in an alternative format or require a special accommodation to participate in the public hearing, please contact MAD in Santa Fe at 505-827-6252. The Department requests at least 10 working days advance notice to provide requested alternative formats and special accommodations.

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

IX. ADDRESS

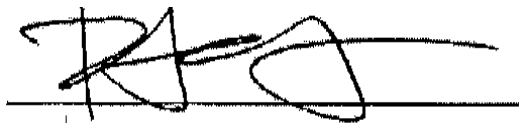
Interested persons may address written or recorded comments to:

Human Services Department
Office of the Secretary
ATTN: 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: madrules@state.nm.us. Written mail, electronic mail and recorded comments must be received no later than 5 p.m. MDT on October 26, 2017. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.

X. PUBLICATIONS

Publication of this rule approved by:

A handwritten signature in black ink, appearing to read 'Brent Earnest', is written over a horizontal line.

BRENT EARNEST, SECRETARY
HUMAN SERVICES DEPARTMENT