

Date Comment Received	Commentator	Comment	HCA Response
6/26/2026	Disability Rights New Mexico	Public notices for notice and comment should clearly indicate the subject and issues being addressed through proposed administrative action so as to enable the public to understand the nature and scope of the proposed action and to afford the public meaningful participation. DRNM notes that there appears to be clerical errors in the title and substance of the proposed SPA. DRNM points these out because HCA's confusion of terms should be clarified prior to final application of the proposed SPA to ensure alignment with New Mexico's Administrative Code ("NMAC"). The title "RE: SMI, SED, and ARTC" appears to reference individuals with Serious Mental Illness ("SMI"), who are adults, and Severe Emotional Disturbance ("SED"), who are typically youth under the age of 18, and the treatment these populations will receive in Accredited Residential Treatment Centers ("ARTCs"). However, the substance of the SPA being proposed is specific to individuals diagnosed with SMI and individuals diagnosed with Substance Use Disorder ("SUD") and the treatment these populations (SMI and SUD) will receive in Adult Accredited Residential Treatment Centers ("AARTC"). Youth diagnosed with SED are not the subject of the proposed SPA, nor is SED mentioned throughout the proposed SPA.	HCA thanks Disability Rights New Mexico (DRNM) for its engagement in the public comment process and for its careful review of SPA 26-0005. HCA acknowledges that the title of the proposed SPA, "SMI, SED, and ARTC," requires clarification and that DRNM's concern about potential confusion of terms is well-founded. HCA clarifies that the inclusion of "SED" in the title was unintentional. Residential services for youth are included within the ESPDT section of the State Plan and will not be included in these pages. The intent of this SPA is to add adult accredited residential treatment services for mental health. The SPA will be retitled to better reflect this intent.

6/26/2026	Disability Rights New Mexico	While substituting SUD with SED appears to be a minor clerical error, the confusion of terms is particularly relevant because HCA, throughout the proposed SPA, references the treatment settings for adults with SMI and SUD as ARTCs. Per the NMAC, this is inaccurate. ARTCs are Accredited Residential Treatment Centers for youth under the age of 18. See 7.20.11.7 NMAC; 8.321.2.12 NMAC. Rather, Adult Accredited Residential Treatment Centers (“AARTC”) is the correct term. See 8.321.2.10 NMAC; 8.321.2.11 NMAC; 8.321.13.9 NMAC. At times, HCA incorrectly revises existing State Plan language from “AARTC” to “ARTC.” Additionally, throughout the proposed new language, HCA uses the term “ARTC” with reference to the adult SMI and SUD populations. HCA should revise the proposed SPA to: (1) retain the original use of “AARTC,” and (2) convert all references of “ARTC” in the proposed new language to “AARTC” to ensure alignment with the NMAC and to prevent unnecessary confusion of terms.	HCA thanks DRNM for identifying the inconsistent use of "ARTC" and "AARTC" throughout the proposed SPA and for its citation to the relevant NMAC provisions. HCA acknowledges that this inconsistency creates confusion and will align the terminology with the NMAC prior to final submission to CMS.."
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