



HEALTH CARE
AUTHORITY

Michelle Lujan Grisham, Governor
Kari Armijo, Secretary
Dana Flannery, Medicaid Director

January 28, 2025

RE: Tribal Notification to Request Advice and Comments Letter 25-02: Proposed amendments to NMAC 8.299.400, *Medicaid Eligibility - Family Planning Services, Recipient Requirements*.

Dear Tribal Leadership, Indian Health Service, Tribal Health Providers, and Other Interested Parties:

Seeking advice and comments from New Mexico's Indian Nations, Tribes, Pueblos and their health care providers is an important component of the government-to-government relationship with the State of New Mexico. In accordance with the New Mexico Health Care Authority's (HCA's) Tribal Notification to Request Advice and Comments process, this letter is to inform you that HCA, through the Medical Assistance Division (MAD), is accepting written comments until **5:00 p.m., Mountain Time (MT) on February 27, 2025**, regarding proposed amendments to NMAC 8.299.400, *Medicaid Eligibility - Family Planning Services, Recipient Requirements*.

Background

New Mexico had federal approval in its Centennial Care 2.0 1115 waiver to implement age limitations for family planning Medicaid. The current age limitations are an individual must be under the age of 51 and not have other health insurance or who is under the age of 65 and only has Medicare coverage. Through our new Turquoise Care 1115 waiver, the Centers for Medicare and Medicaid Services (CMS) is requiring that the Department remove the age limitations. Therefore, through this proposed register, the Department is removing the age limitations for family planning Medicaid.

The Department is proposing to amend the rule as follows:

8.299.400 NMAC

Section 8 is being amended to include the Department's current mission statement.

Section 9 HSD is being changed to Health Care Authority.

Section 9 is being amended to delete the age limitations that are in A and B.

Estimated Total Financial Impact

There is expected to be a minimal financial impact since individuals above age 51 or under age 65 with Medicare are generally low utilizers of family planning services.

Tribal Impact

Tribal impact is positive because more individuals will be eligible for family planning with the removal of the age limitations.

Tribal Advice and Comments

Tribes and tribal healthcare providers may view the proposed 8.299.400 NMAC on the HCA webpage at: <https://www.hca.nm.gov/providers/written-tribal-consultations/>. **Notification letter 25-02.**

A written copy of these documents may be requested by contacting the HCA Medical Assistance Division (HCA/MAD) in Santa Fe at (505) 827-1337.

Important Dates

A public hearing to receive testimony on this proposed rule will be held on **February 27, 2025, at 9:30 am**. The hearing will be held at the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/88658609318?pwd=MyXTazu8sPapjnURAlQOy12XKBpUX.1> or by phone 833-548-0282 US Toll-free.

Meeting ID: 886 5860 9318

Passcode: 710219

Written advice and comments must be received no later than 5:00 p.m. MT on February 27, 2025. Please send your advice, comments or questions to the MAD Native American Liaison, Theresa Belanger, at (505) 670-8067 or by email to theresa.belanger@hca.nm.gov.

All comments and responses will be compiled and made available after July 1, 2025.

Sincerely,



Dana Flannery, Director
Medical Assistance Division