



HEALTH CARE
AUTHORITY

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

May 20, 2025

RE: Tribal Notification to Request Advice and Comments Letter 25-12: *8.200.400 NMAC-Medicaid Eligibility, General Recipient Rules, 8.249.400 NMAC-Refugee Medical Assistance (RMA) Program, 8.249.600-Refugee Medical Assistance (RMA) Program, Benefit Description.*

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 June 20, 2025**, regarding proposed amendments to *8.200.400 NMAC-Medicaid Eligibility, General Recipient Rules, 8.249.400 NMAC-Refugee Medical Assistance (RMA) Program, 8.249.600-Refugee Medical Assistance (RMA) Program, Benefit Description.*

Section 9-8-6 NMSA 1978, authorizes the Department Secretary to promulgate rules and regulations that may be necessary to carry out the duties of the Department and its divisions.

Notice Date: May 20, 2025

Hearing Date: June 20, 2025

Adoption Date: Proposed as August 1, 2025

Technical Citations: Office of Refugee Resettlement (ORR) Notice of Change of Eligibility, FR Doc. 2025-04839, 45 CFR 400.211

Background

The Federal Office of Refugee Resettlement (ORR) issued notice on March 21, 2025, of a change to reduce the eligibility period for Refugee Medical Assistance (RMA) from 12 months to 4 months to avoid a significant budget shortfall. This applies to participants who become eligible for benefits 45 days after the publication date. A methodology had been established by ORR to determine the time eligibility periods for RMA each year based on the appropriated funds available for the fiscal year as described in 45 CFR 400.211.

The Health Care Authority is proposing to amend the rules as follows:

8.200.400 NMAC

Section 10 has been updated to change the RMA coverage period from 12 months to a period established yearly by the Office of Refugee Resettlement (ORR) based on appropriated funds for the fiscal year.

8.249.400 NMAC

Section 6 has been updated to change the RMA coverage period from 12 months to a period established yearly by the Office of Refugee Resettlement (ORR) based on appropriated funds for the fiscal year.

Section 8 has been updated to include the Departments current mission statement.

8.49.600 NMAC

Section 8 has been updated to include the Departments current mission statement.

Section 9 has been updated to change the RMA coverage period from 12 months to a period established yearly by the Office of Refugee Resettlement (ORR) based on appropriated funds for the fiscal year.

Section 11, 12, and 15 have been updated to remove the 12-month eligibility period.

Estimated Total Financial Impact

The change is expected to result in some savings with the reduction in coverage months from twelve to four. There are a small number of individuals covered on RMA.

Tribal Impact

The HCA does not anticipate any tribal impact.

Tribal Advice and Comments

Tribes and tribal healthcare providers may view the proposed 8.200.400, 8.249.400, and 8.249.600 NMACs on the HCA webpage at: <https://www.hca.nm.gov/providers/written-tribal-consultations/>. *Notification letter 25-12.*

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 June 20, 2025, at 9:00 a.m. MT. The hearing will be held at the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Microsoft Teams.

Join Teams Meeting

[Join the meeting now](#)

Meeting ID: 268 489 800 045

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Written advice and comments must be received no later than 5:00 p.m. MT on June 20, 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.

Sincerely,



Dana Flannery, Director
Medical Assistance Division