



HEALTH CARE
AUTHORITY

Michelle Lujan Grisham, Governor
Kari Armijo, Secretary
Alanna Dancis, Acting Medicaid Director

May 4, 2026

RE: Tribal Notification to Request Advice and Comments Letter 26-11: Proposed NMAC 8.200.410

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 (Indian Health Services/PL93-638) 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 5, 2026**, regarding proposed amendments to the New Mexico Administrative Code (NMAC) 8.200.410, *Medicaid Eligibility – General Recipient Rules, General Recipient Requirements*.

Background

Section 71109 of the Working Family Tax Cut Legislation passed on July 4, 2025, changes the definition of a qualified noncitizen. Effective October 1, 2026, Medicaid coverage is limited to the following individuals:

- 1) A citizen or national of the United States
- 1) Legal Permanent Residents
- 2) Cuban/Haitian entrants
- 3) Compact of Free Association (COFA) migrants
- 4) Lawfully residing children and pregnant individuals under CHIPRA 214

Section 71109 ends Medicaid eligibility for lawfully residing noncitizens, including refugees, asylees, parolees, certain abused spouses and children, individuals with temporary visas, individuals with Temporary Protected Status (TPS), certain victims of trafficking and others.

8.200.410

Section 8 has been updated to include HCA's current mission statement.

Section 11 has been updated to remove non-citizens no longer eligible for Medicaid.

Throughout the NMAC, updates have been made to replace HSD with HCA and to revise other language to comply with formatting requirements.

Estimated Total Financial Impact

The estimated total state and federal savings is about \$22,000,000.

Tribal Impact

The HCA does not anticipate any tribal impact.

Tribal Advice and Comments

Tribes and tribal healthcare providers may view the proposed 8.200.410 NMAC on the HCA webpage at: <https://www.hca.nm.gov/providers/written-tribal-consultations/>. *Notification letter 26-11.*

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 5, 2026, at 9:00 a.m., MT. The hearing will be held in the Large Conference Room of the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Microsoft Teams.

Join Teams Meeting

Join: <https://teams.microsoft.com/meet/25847709424724?p=Bt4bGWsJ5krp2oMddw>

Meeting ID: 258 477 094 247 24

Passcode: ow2r7Uo7

Dial in by phone

[+1 505-312-4308,,381910444#](tel:+15053124308381910444) United States, Albuquerque

Phone conference ID: 381 910 444#

Written advice and comments must be received no later than 5:00 p.m. MT on June 5, 2026. Please send your advice, comments or questions to the MAD Native American Liaison, Pharon Morgan, at (505) 469-6877 or by email to pharon.morgan@hca.nm.gov.

Sincerely,



Alanna Dancis, Acting Director
Medical Assistance Division