



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 26-12: Proposed amendments to 8.200.510, 8.200.520, and 8.291.430 NMAC

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 23, 2026**, regarding proposed amendments to *8.200.510 NMAC, General Recipient Policies, Resource Standards, 8.200.520 NMAC, General Recipient Rules, Income Standards and 8.291.430 NMAC, Affordable Care, Financial Responsibility Requirements*.

The HCA is proposing the following amendments:

Notice Date: May 5, 2026

Hearing Date: June 5, 2026

Adoption Date: Proposed as September 1, 2026

Technical Citations: HHS 2026 Federal Poverty Guidelines and 2026 SSA COLA Fact Sheet

Background

The Department is amending these rules to implement the Department of Health and Human Services (HHS) updates to the Federal Poverty Level (FPL) income limits for Medicaid categories of eligibility to be effective April 1, 2026, as required by HHS. The Department is also implementing the annual cost of living allowance (COLA) increase that went into effect on January 1, 2026. The Department is re-promulgating these sections of the rules in full within six months of issuance of the emergency rule in accordance with the New Mexico State Rules Act.

The HCA is proposing to amend the rules as follows:

8.200.510 NMAC

Section 11 has been amended to reflect current COLA for Community Spouse Resource Allowance.

Section 12 has been amended to reflect the current COLA for Post-Eligibility Calculation (Medical Care Credit).

Section 13 has been amended to reflect the current COLA for Average Monthly Cost of Nursing Facilities for Private Patients.

Section 15 has been amended to reflect the COLA for current Excess Home Equity Amount for Long-Term Care Services.

8.200.520 NMAC

Section 11 has been amended to reflect updated FPL limits.

Section 12 has been amended to reflect the COLA increase.

New Mexico Health Care Authority

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Section 13 has been amended to reflect the increase in the Federal Benefit Rate.
Section 15 has been amended to reflect the increase in SSI Living Arrangement Amounts.
Section 16 has been amended to reflect the increase in the monthly income standard for Institutional Care and Home and Community Based Waiver Services Categories.
Section 20 has been amended to reflect the increase in the Covered Quarter Income Standard.

8.291.430 NMAC

Section 10 has been amended to reflect 2026 FPL guidelines.

Estimated Total Financial Impact

The financial impact of the 2026 FPL and COLA changes may result in increased costs to the HCA as more individuals may become eligible due to the higher income standards.

Tribal Impact

The implementation of these rule changes will increase Medicaid eligibility among Native American individuals.

Tribal Advice and Comments

Tribes and tribal healthcare providers may view the proposed NMAC 8.200.510, 8.200.520 and 8.291.430 on the HCA webpage at: <https://www.hca.nm.gov/providers/written-tribal-consultations/>. **Notification letter 26-12.**

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 these proposed rules will be held on June 5, 2026, at 11:00 a.m. 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/239343914639758?p=93rZx7s9AcVrspFkJy>

Meeting ID: 239 343 914 639 758

Passcode: E8dJ3KJ2

Dial in by phone

[+1 505-312-4308,,950411824#](tel:+15053124308950411824) United States, Albuquerque

Phone conference ID: 950 411 824#

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