



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

September 4, 2026

RE: Tribal Notification to Request Advice and Comments Letter 26-22: Proposed Amendments to 8.324.5 NMAC, Adjunct Services, Vision Appliances, Hearing Appliances, Durable Medical Equipment, Oxygen, Medical Supplies, Prosthetics and Orthotics

Dear Tribal Leadership, Indian Health Service, Tribal 638 Health/Urban Indian Health Centers 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 October 9, 2026**, regarding proposed amendments to New Mexico Administrative Code (NMAC) rule 8.324.5 NMAC, *Adjunct Services, Vision Appliances, Hearing Appliances, Durable Medical Equipment, Oxygen, Medical Supplies, Prosthetics and Orthotics*.

The HCA is proposing to amend the rule as follows:

Section 8

Language has been amended to include the HCA's current mission statement.

Section 12

Language has been amended to update coverage and reimbursement for diabetic supplies as outlined in 2023 Legislative Session House Bill 53.

Language has been amended to update implementation of and reimbursement for Pasteurized Human Donor Milk (PHDM) to increase availability to high-risk Medicaid eligible infants up to 12 months old.

Language has been amended to update coverage for prosthetic and custom orthotics devices as passed in the 2023 Legislation House Bill 131- Prosthetic & Custom Orthotic Device Coverage. Proposed changes would also update the language regarding replacement of orthotic or prosthetic devices.

Language has been amended to update coverage for additional complex rehabilitative technology devices as outlined in 2026 Legislative Session House Bill 38.

Section 13

Language has been amended to provide clarification regarding the types of bathroom equipment that are covered.

NMAC citations have been revised to replace outdated references.

Section 15

NMAC citation has been revised to replace outdated reference.

Section 17

Language has been amended to provide update coverage for complex rehabilitation technology (CRT) devices.

Throughout the NMAC amendments have been made to comply with formatting and language requirements.

Estimated Total Financial Impact

The HCA does not anticipate any financial impact for Indian Nations, Tribes, and Pueblos and their health care providers with this change.

Tribal Impact

HCA anticipates a positive impact related to new and expanded services and durable medical equipment for 124,060 tribal members and their providers.

Tribal Advice and Comments

Tribes and tribal healthcare providers may view the proposed 8.324.5 NMAC on the HCA webpage at: <https://www.hca.nm.gov/providers/written-tribal-consultations/>. ***Notification letter 26-22.***

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 **October 9, 2026, at 9:00 a.m. Mountain Time (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 Zoom.

Join Zoom Meeting

Join: <https://teams.microsoft.com/meet/275933366344788?p=Z5ueypZkFaHQNsK2ag>

Meeting ID: 275 933 366 344 788

Passcode: Cu3uU9bA

Dial in by phone

[+1 505-312-4308](tel:+15053124308), [596570325#](tel:+15053124308) United States, Albuquerque

Phone conference ID: 596 570 325#

Written advice and comments must be received no later than 5:00 p.m. MT on October 9, 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,

A handwritten signature in black ink, appearing to read "Alanna Dancis". The signature is fluid and cursive, with the first name "Alanna" and last name "Dancis" clearly distinguishable.

Alanna Dancis, Acting Director
Medical Assistance Division