



Michelle Lujan Grisham, Governor

Kari Armijo, Secretary

Alanna Dancis, Acting Medicaid Director

January 27, 2026

RE: Tribal Notification to Request Advice and Comments Letter 26-03. Proposed amendments to New Mexico Administrative Code (NMAC) rule 8.324.7 NMAC, *Adjunct Services, Transportation Services and Lodging*.

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 26, 2026**, regarding proposed amendments to New Mexico Administrative Code (NMAC) rule 8.324.7 NMAC, *Adjunct Services, Transportation Services and Lodging*.

The HCA is proposing the following amendments:

NMAC 8.324.7

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

Section 10 has been updated to add language changes to implement contracting and reimbursement to non-emergency medical transportation companies as passed in the 2023 legislative session Senate Bill 485.

Section 10 has been updated to add language changes to implement contracting and reimbursement to NEMT companies as passed in the 2023 legislative session Senate Bill 485.

Section 10 has been updated to separate the benefits that are certified by the New Mexico Public Regulation Commission and Transportation Network Company licensed under the Transportation Network Company Services Act. Language has also been added stating that the permits are issued by the Department of Transportation.

Section 13 has been updated to provide the current NMAC 8.310.2 citation as NMAC 8.301.3 has been archived.

For consistency purposes, added language about transportation limitations to pharmacy providers from 8.310.2 NMAC to 8.324.7 NMAC.

Section 15 has been updated to include current NMAC 8.310.2 as NMAC 8.302.5 has been archived.

Additionally, MAD is increasing the outside of the home community travel mileage from 65 miles to 120 miles and increasing the frequency requirement for obtaining referrals for continued out-of-community transportation from six months to twelve months.

Throughout the NMAC the following changes have been made:

1. Revising references to “his or her” to “their”
2. Changed HSD to HCA

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 for tribal members who utilize NEMT services and their providers.

Tribal Advice and Comments

Tribes and tribal healthcare providers may view the proposed 8.324.7 NMAC on the HCA webpage at: <https://www.hca.nm.gov/providers/written-tribal-consultations/>. *Notification letter 26-03.*

A written copy of these documents may be requested by contacting the 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 26, 2026, at 9:00 a.m. MT. The hearing will be held in Large Conference Room at the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Zoom.

Join Zoom Meeting

[Join the meeting now](#)

Meeting ID: 299 163 985 170 5

Passcode: jZ7qH9yw

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Written advice and comments must be received no later than 5:00 p.m. MT on February 26, 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".

Alanna Dancis, Acting Director
Medical Assistance Division