



State of New Mexico
Human Services Department
Human Services Register



I. DEPARTMENT

NEW MEXICO HUMAN SERVICES DEPARTMENT (HSD)

II. SUBJECT

IMPLEMENTATION OF 2018 FEDERAL POVERTY
GUIDELINES IN AFFECTED MEDICAID CATEGORIES/SSI AND SPOUSAL
IMPOVERISHMENT STANDARDS

III. PROGRAM AFFECTED

(TITLE XIX) MEDICAID

IV. ACTION

EMERGENCY RULE

V. BACKGROUND SUMMARY

The Human Services Department (Department) has filed an emergency rule in order to implement the Department of Health and Human Services (HHS) updates to the Federal Poverty Level (FPL) income guidelines for the Medical Assistance Program (MAP) categories of eligibility to be effective April 1, 2018, as required by HHS. The SSI and Spousal Impoverishment standards are being updated due to the annual cost of living increase (COLA) that went into effect January 01, 2018. The emergency rules may impact MAP eligibility for current recipients or a new applicant based on the updated income limits as described below.

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 17, 2018

Adoption Date: Proposed and filed as May 17, 2018

Technical Citations: 42 USC Section 9902 (2), Federal SSI and Spousal Impoverishment Standards, and SSA COLA Fact Sheet

Summary of Revisions:

8.200.520 NMAC

Section 11 is amended to reflect current FPL mandates.

Section 12 is amended to reflect the cost of living increase.

Section 13 is amended to reflect the increase in the Federal Benefit Rate.
Section 15 is amended to reflect the increase in SSI living arrangement amounts.
Section 16 is amended to reflect the increase in the monthly income standard for Institutional Care and Home and Community Based Waiver Services categories.
Section 20 is amended to reflect the increase in the covered quarter income standard.

8.291.430 NMAC

Section 10 is amended to reflect current FPL mandates.

VI. REGULATIONS

These regulations will be contained in 8.200.520 NMAC and 8.291.430 NMAC of the Medical Assistance Division Program Manual. The register and emergency rule language are available on the HSD website at: <http://www.hsd.state.nm.us/LookingForInformation/registers.aspx> and the rules are available at <http://www.hsd.state.nm.us/LookingForInformation/medical-assistance-division-1.aspx>. If you do not have Internet access, a copy of the register and rules may be requested by contacting MAD at 505-827-6252.

VII. EFFECTIVE DATE

The Department will implement these rules effective May 17, 2018.

VIII. PUBLICATION

Publication of these rules approved by:



BRENT EARNEST, SECRETARY
HUMAN SERVICES DEPARTMENT