

NMAC

Transmittal Form

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2018 DEC 13 PM 3:39

Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: New Amendment Repeal Emergency Renumber (ALD Use Only) Most recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment): Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes No Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes No Public domain

Concise Explanatory Statement For Rulemaking Adoption:

Specific statutory or other authority authorizing rulemaking:

Section 9-8-6 NMSA 1978
42 CFR 412

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Rule was updated to change the definition of a hospital outlier claim for the state teaching hospital.

Rule was also changed to comply with 42 CFR 433.312. Language was added to state that the Department has one year from the date of discovery of an overpayment to a provider to recover or seek the overpayment before the federal share must be refunded to

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Findings required for rulemaking adoption:

continued



Rule was updated to expand eligibility for Indirect Medical Education (IME) payments to additional hospitals in the state roster if they have ACGME-accredited programs.

Rule added language that a notification will be provided every year regarding the computation of hospital prospective payment rates. If there is an increase, the notification will specify when a market basket index (MBI) inflation factor is applied and the percentage increase that will be applied.

HSD made changes to proposed rule 8.311.3 as recommended by the comments received.

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

Brent Earnest

Check if authority has been delegated

Title:

Secretary

Signature: (BLACK ink only)

Date signed:

12/13/13