



State of New Mexico  
Human Services Department  
**Human Services Register**



**I. DEPARTMENT**

NEW MEXICO HUMAN SERVICES DEPARTMENT

**II. SUBJECT**

8.200.400 GENERAL RECIPIENT RULES-GENERAL MEDICAID ELIGIBILITY  
8.200.430-GENERAL RECIPIENT RULES-RECIPIENT RIGHTS AND RESPONSIBILITIES  
8.296.400 OTHER ADULTS-RECIPIENT REQUIREMENTS

**III. PROGRAM AFFECTED**

(TITLE XIX) MEDICAID

**IV. ACTION**

FINAL RULE

**V. BACKGROUND SUMMARY**

New Mexico Human Services Register Volume 42, Register 3, dated March 21, 2019, issued the proposed rules, *8.200.400, Medicaid Eligibility-General Recipient Rules - General Medicaid Eligibility*, *8.200.430, Medicaid Eligibility-General Recipient Rules - Recipient Rights and Responsibilities*, and *8.296.400, Medicaid Eligibility-Other Adults – Recipient Requirements*.

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: March 26, 2019

Hearing Date: April 25, 2019

Adoption Date: February 01, 2020

Technical Citations: 42 CFR 435.915, SSA 1916 and 1916A

A public hearing was held on April 25, 2019, to receive public comments and testimony on this proposed rule. The Human Services Department (the Department) received two written comments and no oral testimony.

**Summary of Comments:**

Both written comments supported the Department's proposed rules to restore three months of retroactive Medicaid, eliminate co-payments and proposed premiums for the Other Adult Medicaid category. The rules are being adopted as proposed.

**VI. RULES**

These amendments will be contained in 8.200.400 NMAC, 8.200.430 NMAC, and 8.296.400 NMAC. The final register and rule languages are available on the HSD website at: <https://www.hsd.state.nm.us/LookingForInformation/registers.aspx> and <https://www.hsd.state.nm.us/LookingForInformation/medical-assistance-division-1.aspx>. If you do not have internet access, a copy of the final register and rules may be requested by contacting the Medical Assistance Division at (505) 827-1337.

**VII. EFFECTIVE DATE**

These rules will have an effective date of February 01, 2020.

**VIII. PUBLICATION**

Publication of these rules approved by:



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DAVID R. SCRASE, M.D., SECRETARY  
HUMAN SERVICES DEPARTMENT