



HEALTH CARE  
AUTHORITY



JUSTICE INVOLVED 1115 WAIVER  
NEW MEXICO JUSTICE RE-ENTRY FACILITIES STAKEHOLDER MEETING  
DECEMBER 19, 2024

*INVESTING FOR TOMORROW, DELIVERING TODAY.*

# BEFORE WE START...

On behalf of all colleagues at the Health Care Authority, we humbly acknowledge we are on the unceded ancestral lands of the original peoples of the Pueblo, Apache, and Diné past, present, and future.

With gratitude we pay our respects to the land, the people and the communities that contribute to what today is known as the State of New Mexico.



A cloudy morning looking over Santa Cruz Lake  
photo by Jessica Gomez



HEALTH CARE  
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*Investing for tomorrow, delivering today.*

# MISSION

*We ensure New Mexicans attain their highest level of health by providing whole-person, cost-effective, accessible, and high-quality health care and safety-net services.*



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# VISION

*Every New Mexican has access to affordable health care coverage through a coordinated and seamless health care system.*

# GOALS



**LEVERAGE** purchasing power and partnerships to create innovative policies and models of comprehensive health care coverage that improve the health and well-being of New Mexicans and the workforce.



**ACHIEVE** health equity by addressing poverty, discrimination, and lack of resources, building a New Mexico where everyone thrives.



**BUILD** the best team in state government by supporting employees' continuous growth and wellness.



**IMPLEMENT** innovative technology and data-driven decision-making to provide unparalleled, convenient access to services and information.

# AGENDA

- Purpose of this stakeholder meeting
- Status of Justice Re-entry Waiver Program
- Status of CAA Requirements for Justice Involved Youth
- Next Steps
- Appendix A: Capacity Building Categories



# PURPOSE OF THE MEETING

- **Update** the group of the **1115 Waiver Justice Reentry 1115** program design and **CAA requirements**
- Inform of **phased approach** and implementation timeline
- **Provide opportunity** for stakeholder questions and discussion



# WHAT IS THE 1115 JUSTICE RE-ENTRY WAIVER?

## 1115 Demonstration Waivers are contracts that dictate how a state operates its Medicaid program:

- Typically, a 5-year approval cycle.
- Allows states to pursue experimental or pilot demonstration projects that advance the objectives of Medicaid.
- Must be “budget neutral” to the federal government.
- Must be approved by the Centers of Medicare and Medicaid Services (CMS), our federal partners.
- Requires implementation and operational plans, third-party evaluations.

## What's New?

- Historically, federal Medicaid funds could not be used to pay for services provided to individuals who are incarcerated, referred to as the **inmate exclusion**.
- CMS policy now allows states to pursue Justice Involved initiatives through 1115 demonstrations.



# JUSTICE REENTRY 1115 WAIVER APPROVAL

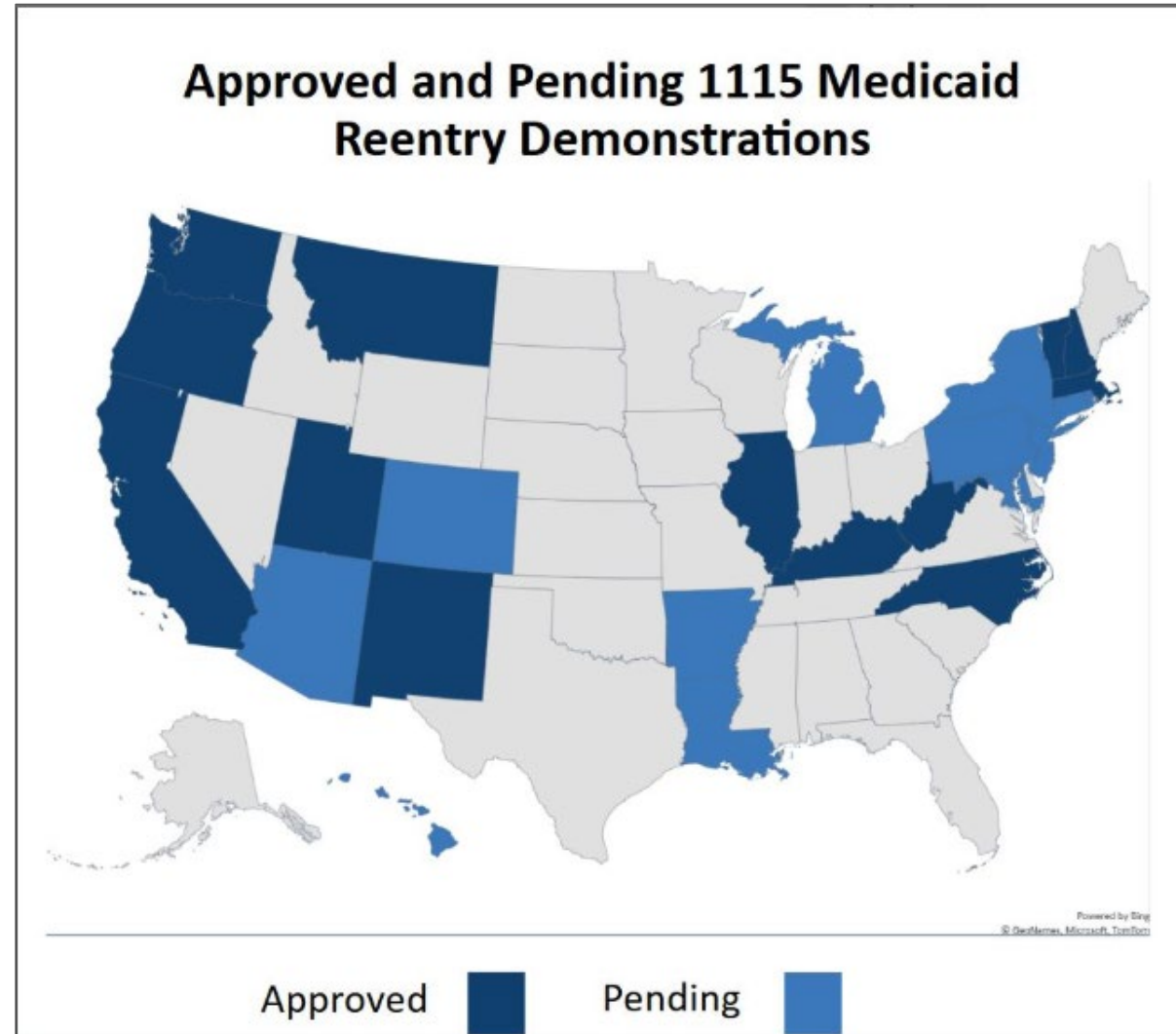
## New Mexico:

- in first cohort of 7 states to receive 1115 Waiver approval
- Selected to participate in the Health and Reentry Project (HARP) National Learning Collaborative

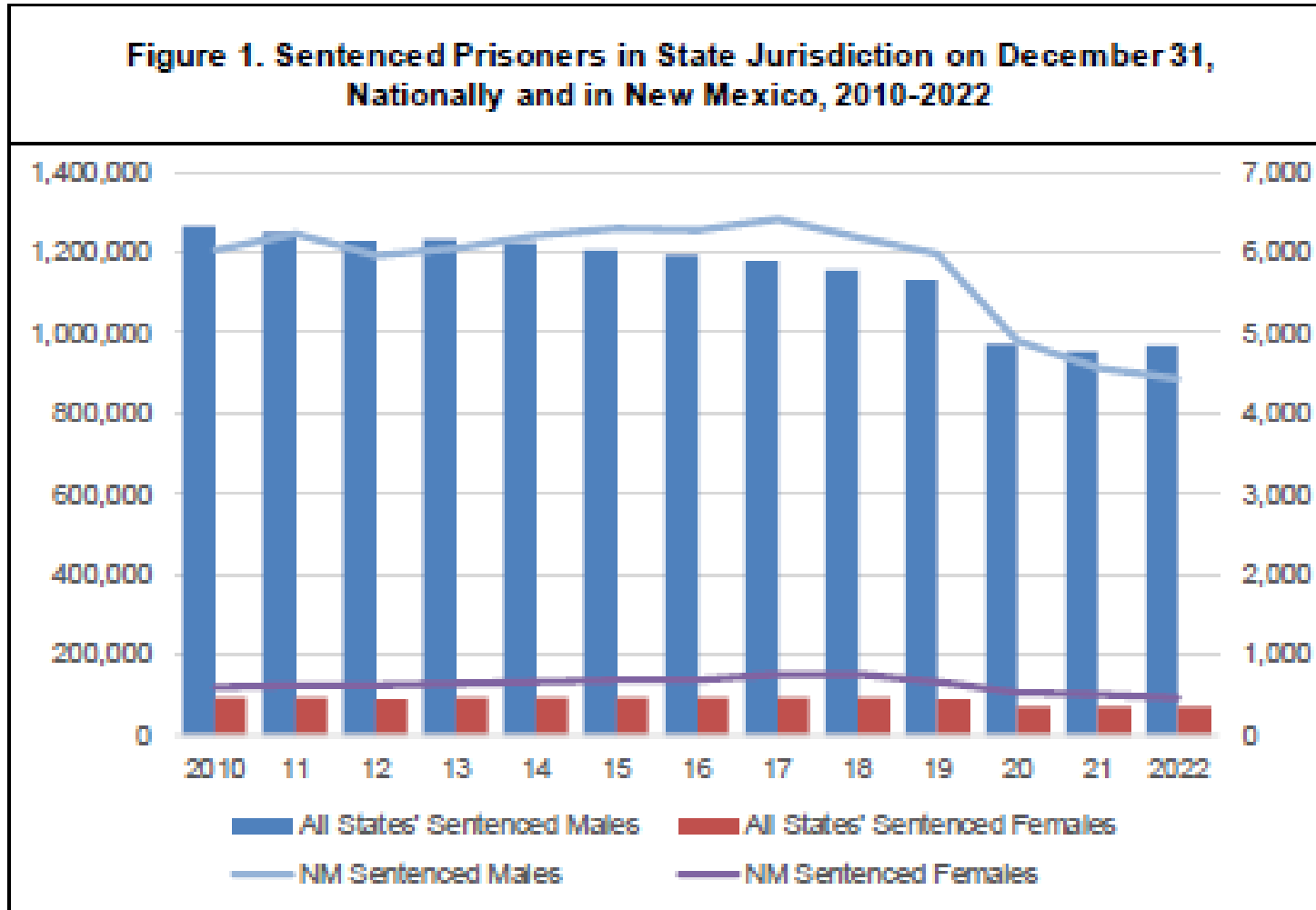
## Nationally:

- 13 total states have 1115 Waiver approval
- 12 more states and DC pending with [Centers for Medicare & Medicaid Services](#).

Source: Health and Reentry Project  
<https://lnkd.in/eywGvUb3>



# NM JUSTICE POPULATION COMPARED NATIONALLY





# JUSTICE INVOLVED POPULATION

## NEW MEXICO STATISTICS

NM Population*	2,117,522
NM Medicaid Population**	845,008
<b>Total incarcerated average daily population (ADP)***</b>	<b>11,246</b>
NMCD (11 facilities)	5,573
County adult detention centers (26 facilities)	5,484
State CYFD Juvenile Justice (4 facilities)	100
County Juvenile detention centers (4 facilities)	89

\*2020 US Census Data [NEW MEXICO: 2020 Census](#)

\*\*November 2024 population data from HCA Score Card [New Mexico Human Services Department - Social Impact](#)

\*\*\*Reported by NMCD, CYFD, and NM Association of Counties



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# JUSTICE RE-ENTRY WAIVER APPROVAL

- New Mexico 1115 Waiver approved July 2024
- Settings include tribal facilities, state prisons, county correctional facilities, and juvenile correctional facilities.
- Includes a **minimum set of 3 pre-release services** must be offered **to all Medicaid-eligible inmates of public institutions**:
  1. Care Management,
  2. Medication Assisted Treatment (MAT),
  3. 30-day supply of medication upon release.
- New Mexico requested and was approved to cover **additional services**, such as HCV treatment.
- Allows coverage for a period **up to 90 days** immediately prior to the individual's expected release date.
- Offers optional **start-up funds** for planning and capacity building.
- Requires **implementation planning, financial reinvestments, readiness assessments**.
- **All options are subject to state budget availability**



# APPROVED JUSTICE RE-ENTRY SERVICES

Service	Mandatory Services	New Mexico Approval
Care Management	X	X
Physical and Behavioral Health Clinical Consultation		X
Medication Assisted Treatment (MAT)	X	X
Medications and Medication Administration		X
Treatment for HepC		X
Laboratory and Radiology Services		X
Community Health Worker Services		X
Peer Support Services		X
Family Planning Services		X
30-day supply of all prescription medications and over-the-counter drugs	X	X
Durable medical equipment and supplies		X

*All options are subject to state budget availability*



# JUSTICE RE-ENTRY WAIVER MILESTONES

## New Mexico Justice Reentry Demonstration Milestones

**Milestone 1:** Increasing coverage and ensuring continuity of coverage for individuals who are incarcerated

**Goal:** Ensure eligible individuals are enrolled in Medicaid and receive re-entry services prior to release

**Milestone 2:** Covering and ensuring access to the minimum set of pre-release services for individuals who are incarcerated to improve care transitions upon return to the community

**Goal:** Ensure medication and medical resource continuity upon reentry

**Milestone 3:** Promoting continuity of care

**Goal:** Strengthen community-based supports to prevent costly and avoidable emergency department visits or inpatient hospitalizations.

**Milestone 4:** Connecting to services available post-release to meet the needs of the reentering population

**Goal:** Improve the physical and behavioral health of individuals upon community reentry

**Goal:** Reduce recidivism

**Goal:** Decrease the number of formerly incarcerated individuals who face housing insecurity

**Milestone 5:** Ensuring cross-system collaboration

**Goal:** Assist counties with implementation of the program and educate on Medicaid billing,

**Goal:** Partner with additional jail and county detention centers



# ALIGNMENT WITH THE CAA YOUTH REQUIREMENTS

Mandatory services begin Jan. 1, 2025 for eligible juveniles in public institutions up to age 21, and former foster care youth up to age 26

## Consolidated Appropriations Act (CAA) Services for Incarcerated Youth

### REQUIRED (5121):

- Targeted Case Management 30 days pre-release through 30 days post-release
- EPSDT screening and diagnostics 30 days pre-release or as soon as feasible immediately post-release (i.e., within one week)
- Applies to eligible juveniles **post-adjudication**, regardless of carceral facility

OPTIONAL (5122): Allows NM to cover full Medicaid benefits for pre-adjudicated eligible juveniles

## CAA Intersection with 1115 Waiver

- CAA State Plan Amendment due March 31, attesting to Operational Plan in place effective January 1, 2025
- The 1115 Waiver allows New Mexico to offer coverage beyond the CAA (e.g., longer pre-release period)
- In summer 2025, CAA and 1115 Waiver align to integrate Medicaid-covered services pre-release



# CAA & 1115 IMPLEMENTATION PHASED IN APPROACH

## Phase-in of facilities over time

- Based on state-defined cohorts, starting with NMCD and CYFD facilities
- Based on individual facility readiness

## Phase-in of services based on “readiness levels”

- Start with mandatory services; phase in optional services based on state budget authorization
- Depends on individual facility readiness

Phase 1 (CAA) January 2025	Phase 2 (NMCD) Summer 2025	Phase 3 2026	Phase 4 2027	Phase 5 2027
Implementation of CAA Section 5121 services (EPSDT screening and diagnostics and targeted case management)	Implementation of 1115 re-entry services, transition to automated processes for Section 5121 coordination and billing in CYFD and NMCD facilities	Implementation of automated processes for Section 5121 coordination and billing in county facilities	Potential implementation of Section 5122 in county facilities*	Continued system enhancements to promote continuity of care

\*Based on state budget availability



# PROGRESS TO DATE

## Completed:

- 1115 Waiver Justice Reentry Implementation Plan submitted to CMS 11/22/24 for approval
- 1115 Waiver Justice Reentry Reinvestment Plan submitted to CMS 12/13/24 for approval
- CAA Planning Grant application submitted 11/26/24

## In planning stage:

- Publish CAA reimbursement methodology State Plan Amendment for public comment
- State Plan Amendment for CAA services for justice-involved youth due 3/31/25
- 1115 capacity funding requirements, distribution, and monitoring
- Facility readiness assessment planning
- Scheduling HCA Medicaid Enterprise System changes
- Update New Mexico Register and New Mexico Administrative Code (NMAC) and other policies as needed



Q & A



# STAKEHOLDER MEETINGS

## Next quarterly stakeholder meeting

WHEN: Friday, March 28, 10:00 a.m. to 11:30 a.m.

WHERE: Online (Zoom)

[Register in advance](#) to attend



# FEEDBACK AND CONTACT INFO

## 2-question feedback survey

<https://s.zoom.us/j/bPIRvFqS0>



Heidi Capriotti,  
Deputy Director  
[Heidi.Capriotti@hca.nm.gov](mailto:Heidi.Capriotti@hca.nm.gov)

Jeanelle Romero,  
Communications and Education  
Bureau Chief  
[JeanelleC.Romero@hca.nm.gov](mailto:JeanelleC.Romero@hca.nm.gov)



# APPENDIX

# APPENDIX A

## Capacity-Building Categories

- Technology and IT Services
- Hiring of Staff and Training
- Adoption of certified electronic health record (EHR) technology
- Purchase of Billing Systems
- Development of Protocols and Procedures
- Additional Activities to Promote Collaboration
- Planning
- Other activities to support a milieu appropriate for provision of prerelease services

