



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



**I. DEPARTMENT
NEW MEXICO HUMAN SERVICES DEPARTMENT (HSD)
8.200.410 NMAC GENERAL RECIPIENT POLICIES**

**III. PROGRAM AFFECTED
(TITLE XIX) MEDICAID**

**IV. ACTION
PROPOSED RULE**

V. BACKGROUND SUMMARY

The Human Services Department (the Department), through the Medical Assistance Division (MAD), is proposing to amend New Mexico Administrative Codes (NMAC) 8.200.410 General Recipient Policies.

The Department is taking this opportunity to amend 8.200.410 NMAC as follows:

- Section 15 – new language to allow an inmate who has an established Medical Assistance Programs (MAP) category of eligibility to be approved for a MAP category of inmate eligibility throughout his or her incarceration; and to allow an inmate who does not have an established MAP category of eligibility upon his or her arrival at a public institution to apply for MAP category of inmate eligibility. This would allow an inmate to have access to MAD services upon his or her discharge or release from a public institution.

VI. RULE

This proposed rule will be contained in 8.200.410 NMAC. This register and the proposed rule are available on the HSD website at:

<http://www.hsd.state.nm.us/LookingForInformation/registers.aspx> and at <http://www.hsd.state.nm.us/public-notices-proposed-rule-and-waiver-changes-and-opportunities-to-comment.aspx>. If you do not have internet access, a copy of the proposed rules may be requested by contacting MAD at 505-827-7743.

VII. EFFECTIVE DATE

The Department proposes to implement this rule effective October 1, 2015.

VIII. PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held in the Rio Grande Room, Toney Anaya Building, 2550 Cerrillos Road, Santa Fe, New Mexico on August 31, 2015,

at 10 a.m. Mountain Daylight Time (MDT).

If you are a person with a disability and you require this information in an alternative format or require a special accommodation to participate in the public hearing, please contact MAD toll free at 1-888-997-2583 and ask for extension 7-3156. In Santa Fe call 827-3156. The Department's TDD system may be accessed toll-free at 1-800-659-8331 or in Santa Fe by calling 827-3184. The Department requests at least 10 working days advance notice to provide requested alternative formats and special accommodations.

Copies of all comments will be made available by MAD upon request by providing copies directly to a requestor or by making them available on the MAD website or at a location within the county of the requestor.

IX. ADDRESS

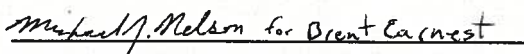
Interested persons may address written comments to:

Human Services Department
Office of the Secretary
ATTN: Medical Assistance Division Public Comments
P.O. Box 2348
Santa Fe, New Mexico 87504-2348

Recorded comments may be left at (505) 827-1337. Interested persons may also address comments via electronic mail to: madrules@state.nm.us. Written mail, electronic mail and recorded comments must be received no later than 5 p.m. MDT on August 31, 2015. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.

X. PUBLICATION

Publication of this rule approved by:




**BRENT EARNEST, SECRETARY
HUMAN SERVICES DEPARTMENT**

July 27, 2015

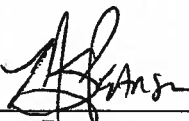
I hereby authorize New Mexico Human Services Department Deputy Secretary Sean Pearson and Deputy Secretary Michael Nelson to act as Secretary for the department for purposes of signing documents on the follow days in my absence.

July 29 – August 7, 2015



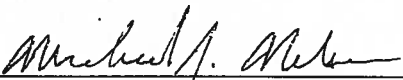
Brent Earnest
Cabinet Secretary

7/28/15
Date



Sean Pearson
Deputy Cabinet Secretary

7/28/15
Date



Michael Nelson
Deputy Cabinet Secretary

7/28/15
Date