



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



**I. DEPARTMENT**

NEW MEXICO HUMAN SERVICES DEPARTMENT (HSD)

**II. SUBJECT**

8.200.510 NMAC MEDICAID ELIGIBILITY – 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), filed an emergency New Mexico Administrative Code (NMAC) rule in order to adjust the Medical Assistance Program (MAP) categories of eligibility to the Department of Health and Human Services' (HHS) current standards for the Minimum Monthly Maintenance Needs Allowance (MMMNA), the Community Spouse Resource Allowance (CSRA), the Consumer Price Index (CPI), and the resource amounts for Supplemental Security Income (SSI) related to Medicare savings programs effective July 1, 2015. The Department is formally promulgating this rule and will be holding a public hearing on September 17, 2015, to receive testimony on this rule and to receive written, recorded, or electronic comments.

**Highlights:**

- Section 11 will be amended to reflect the increase of the CSRA.
- Section 12 will be amended to reflect the current MMMNA and the CPI, along with CSRA for 2015.
- Section 13 will be adjusted to conform to the average monthly cost of nursing facilities in the transfer of asset provisions.
- Section 14 will be amended to reflect current resource standards inclusive of burial exclusion for SSI related to Medicare savings programs.
- Section 15 will be amended to reflect excess home equity for long-term care services.
- Throughout this rule, amendments are proposed to standardize and update rule language.

**VI. RULE**

The proposed rule will be contained in the corresponding NMAC rule of: 8.200.510. This register and the proposed amendments are available on the HSD website at:

<http://www.hsd.state.nm.us/LookingForInformation/registers.aspx> or 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 rule may be requested by

contacting the Medical Assistance Division at 505-827-7743.

## VII. EFFECTIVE DATE

The Department proposes a permanent effective date for this rule of October 15, 2015.

## VIII. PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held in Hearing Room One, Toney Anaya Building, 2550 Cerrillos Road Santa Fe, NM on September 17, 2015, 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 the Medical Assistance Division toll free at 1-888-997-2583 and ask for extension 7-7743. In Santa Fe call 827-7743. 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 HSD 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](mailto:madrules@state.nm.us) Written mail, electronic mail and recorded comments must be received no later than August 17, 2015, 5 p.m. MDT. 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:



*for* 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.

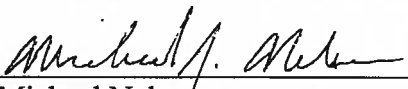
July 29 – August 7, 2015

  
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Brent Earnest  
Cabinet Secretary

7/28/15  
Date

  
\_\_\_\_\_  
Sean Pearson  
Deputy Cabinet Secretary

7/28/15  
Date

  
\_\_\_\_\_  
Michael Nelson  
Deputy Cabinet Secretary

7/29/15  
Date