

## Mondragon, Tabitha, HCA

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**Sent:** Thursday, July 18, 2024 2:07 PM  
**To:** HCA-madrules  
**Cc:** mrmccowen@nmbhpa.org  
**Subject:** [EXTERNAL] Comment re NMAC 8.321.2

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Section 9, K. 2. An "NM RLD approved supervisor." RLD does not issue supervisor certificate approval for all supervisors. This is only required to cross supervise social workers or counselors, or for social workers. This requirement is overly burdensome and confusing. I checked with Dr. Culpepper at RLD and he confirmed that there is not such a general certificate or approval process.

Section 10: Adult AARTC for mental illness - has this service been added to the NM 1115 waiver with CMS? MCO's don't seem to be aware of this forthcoming service.

Section 21, regarding CTC allowed to admit involuntary. The notice of opportunity identifies this is to "allow" CTC to conduct involuntary admissions. However the NMAC states a CTC is "to provide voluntary and involuntary" services. This language makes it sound like the CTC is required to conduct involuntary services. The DOH regulations allow for voluntary or involuntary but don't require a CTC to take involuntary admissions. Some CTC's (such as living room models) are not physically set up for involuntary.

Section 21 states that CTC must operate 24/7 365. This is in contradiction with DOH regulations which allow non 24/7 operations. Few areas in NM have enough population to support the volume required for 24/7 365.

Section 27 - IOP. These regulations are not consistent with Supplement 24-05 released in April. In particular, the hours are not consistent with the hours identified in the Supplement.

Thanks,

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