

DEPARTMENTAL MEMORANDUM

MAD-IPP: 21-01

DATE: JANUARY 5, 2021

TO: ISD AND MAD STAFF

FROM: NICOLE COMEAUX, DIRECTOR, MEDICAL ASSISTANCE DIVISION
KARMELA MARTINEZ, DIRECTOR, INCOME SUPPORT DIVISION

BY: ROY BURT, CHIEF, ELIGIBILITY BUREAU

**SUBJECT: COVID-19 EXCEPTIONS TO CONTINUOUS MEDICAID ELIGIBILITY FOR
THE DURATION OF EMERGENCY**



On October 28, 2020 the Centers for Medicare and Medicaid Services (CMS) issued new rules that reinterprets the conditions under which states must maintain Medicaid recipient enrollment through the end of the COVID-19 emergency. The new rules add a fourth reason for Medicaid closure for recipients who are not validly enrolled. Thus, the four reasons for Medicaid closure during the COVID-19 emergency are the following:

1. The recipient requests a voluntary termination of eligibility;
2. The recipient passes away;
3. The recipient ceases to be a resident of the state
4. The recipient was not validly enrolled (i.e. agency error/fraud or abuse)

The fourth validly enrolled Medicaid closure reason is effective October 28, 2020 when the federal rules were issued. A recipient is not validly enrolled if the determination of Medicaid eligibility was incorrect at the time it was made due to agency or system error or eligibility was erroneously granted due to recipient fraud for which the recipient has been convicted or recipient abuse as determined by the state in accordance with federal guidance.

To allow for caseworkers to close Medicaid recipients who are not validly enrolled effective October 28, 2020 and ongoing due to agency or system error/fraud or abuse IBP 52601 was created to provide closure instructions.

Please address questions regarding this IPP to Roy Burt at roy.burt@state.nm.us.