

January 29, 2016

The New Mexico Human Services Department (the Department) through the Medical Assistance Division (MAD) is providing this notice for the purpose of receiving comments through February 29, 2016, regarding its proposed amendment to the SPA 16-01 – Pharmacy Dispensing Fee at \$3.65.

Currently, the dispensing fee used in calculating payment on a pharmacy claim is \$2.50 unless product selection has taken place, in which case the dispensing fee is \$3.65. The proposed amendment would remove the provision related to product selection and allow the New Mexico Medicaid program to use the higher dispensing fee of \$3.65 in calculating the payment on pharmacy claims. Other limits, such as not paying more than the billed charge, still apply.

The anticipated cost of this change is \$400,000 annually, of which approximately \$366,500 would come from federal Medicaid matching funds. The estimated expenditures are for the Medicaid Fee-for-Service program only. The SPA does not affect the payments made under the Medicaid managed care program.

This change is being made following a review of the current reimbursement level in comparison to other states and payers.

- Since this SPA increases payment with no negative impact, HSD/MAD intends to file the State Plan Amendment on or before February 1, 2016, with a February 1, 2016, effective date. All comments will still be fully considered. If any changes are made due to comments received, those changes will be applied retroactively to pharmacy claims.

Interested parties may view the proposed Medicaid State Plan Amendment on the Department's website at:

<http://www.hsd.state.nm.us/public-notices-proposed-rule-and-waiver-changes-and-opportunities-to-comment.aspx> and <http://www.hsd.state.nm.us/LookingForInformation/medical-assistance-division-state-plan.aspx>.

**Interested parties may submit written comments directly to:**

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

Recorded comments may be left by calling (505) 827-1337. Electronic comments may be submitted to [madrules@state.nm.us](mailto:madrules@state.nm.us). **All comments must be received no later than February 29, 2016, 5 p.m. Mountain Standard Time (MST).**

If you are a person with a disability and you require this information in an alternative format, please contact the MAD toll-free number at 1-888-997-2583 and ask for extension 7-6252. In Santa Fe, call 827-6252. The Department's TDD system may be accessed toll-free at 1-200-659-8331 or in Santa Fe by calling 827-3184. The Department requests at least 10 working days advance notice to provide requested alternative formats. If you do not have Internet access, a copy of the proposed State Plan Amendment may be requested by contacting MAD at (505) 827-6252 or at 888-997-2583 asking for extension 7-6252.