



State of New Mexico
Human Services Department
Human Services Register



I. DEPARTMENT

NEW MEXICO HUMAN SERVICES DEPARTMENT (HSD)

II. SUBJECT

8.312.2 NURSING FACILITIES

8.312.3 COST RELATED REIMBURSEMENT OF NURSING FACILITIES

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 the New Mexico Administrative Code (NMAC) rule 8.312.2, *Nursing Facilities* and 8.312.3, *Cost Related Reimbursement of Nursing Facilities*.

Highlights by Section

8.312.2 NMAC

Section 8.312.2.8, *Mission Statement*, is being removed.

Section 8.312.2.25, *Reimbursement*, is being changed to clarify that budget availability may be considered when establishing reimbursement rates for Nursing Facilities.

8.312.3 NMAC

Section 8.312.3.8, *Mission Statement*, is being removed.

Section 8.312.3.10, *General Reimbursement Policy*, is being changed to clarify that budget availability may be considered when establishing reimbursement rates for Nursing Facilities.

VI. RULE

The proposed rule changes will be contained in 8.312.2 and 8.312.3 NMAC. This register and the proposed changes 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 written copy of the proposed register and rule may be requested by contacting MAD in Santa Fe at 505-827-6252.

VII. EFFECTIVE DATE

The Department proposes to implement these rules effective July 1, 2016.

VIII. PUBLIC HEARING

A public hearing to receive testimony on the proposed rule will be held in the Rio Grande Conference Room, Toney Anaya Building, 2550 Cerrillos Road, Santa Fe on June 2, 2016 at 10a.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 MAD in Santa Fe at 505-827-6252. 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 by calling (505) 827-1337. Electronic comments may be submitted to madrules@state.nm.us. Written, electronic and recorded comments will be given the same consideration as oral testimony made at the June 2, 2016 public hearing. All comments must be received no later than 5:00 p.m. MDT, June 2, 2016.

X. PUBLICATION

Publication of this rule approved by:



BRENT EARNEST, SECRETARY
HUMAN SERVICES DEPARTMENT