



Michelle Lujan Grisham, Governor  
David R. Scrase, M.D., Secretary  
Nicole Comeaux, J.D., M.P.H., Director

February 23, 2022

**RE: Tribal Notification to Request Advice and Comments Letter 22-04: Targeted Access Payments (TAPs)**

Dear Tribal Leadership, Indian Health Service, Tribal Health Providers, and Other Interested Parties:

Seeking advice and comments from New Mexico's Indian Nations, Tribes, Pueblos and their health care providers is an important component of the government-to-government relationship with the State of New Mexico. In accordance with the New Mexico Human Services Department's (HSD's) Tribal Notification to Request Advice and Comments process, this letter is to inform you that HSD, through the Medical Assistance Division (MAD), is accepting written comments until **5:00pm Mountain Time (MT) March 25, 2022**, regarding proposed State Plan Amendment (SPA) 22-0005 Targeted Access Payments (TAPs).

The New Mexico Human Services Department proposes to implement targeted access payments for Safety-Net Care Pool (SNCP) hospitals from January 1, 2021, through the end of the Public Health Emergency (PHE). TAPs are made based on the upper payment limit (UPL) demonstration. SNCP hospitals will be eligible for payments up to their UPL room as defined in their UPL analysis. TAPs are restricted based on UPL analysis and will be made annually. Medicaid fee-for-service utilization is required to be eligible for TAPs.

**Tribal Impact**

This proposed change will not affect payment rates for services paid at encounter rates or OMB rates. This includes Indian Health Services (IHS) and tribal health facilities.

**Tribal Advice and Comments**

Tribes and tribal health care providers may view the proposed changes on the HSD website at: <https://www.hsd.state.nm.us/providers/written-tribal-consultations/>, Tribal Notification **22-04**.

**Important Dates**

**Written comments must be submitted by 5:00pm Mountain Time (MT) on March 25, 2022.** Please send your comments to the MAD Native American Liaison, Theresa Belanger, at (505) 670-8067 or by email to [Theresa.Belanger@state.nm.us](mailto:Theresa.Belanger@state.nm.us). All written comments received will be posted as they are received on the HSD website at: <https://www.hsd.state.nm.us/providers/written-tribal-consultations/> along with the applicable notification letter. The public posting will include the name and any contact information provided by the commenter.

**Tribal Leadership may request a government-to-government consultation by March 25, 2022.** This request may be made to: [Theresa.Belanger@state.nm.us](mailto:Theresa.Belanger@state.nm.us) or by calling (505) 670-8067.

Sincerely,



Nicole Comeaux, Director  
Medical Assistance Division

cc: Lorelei Kellogg, HSD/MAD Deputy Director  
Theresa Belanger, Native American Liaison, HSD/MAD