



State of New Mexico
Human Services Department
Human Services Register



I. DEPARTMENT

NEW MEXICO HUMAN SERVICES DEPARTMENT (HSD)

II. SUBJECT

IMPLEMENTATION OF THE 2017 AND 2018 SSI AND SPOUSAL
IMPOVERISHMENT STANDARD

III. PROGRAM AFFECTED

(TITLE XIX) MEDICAID

IV. ACTION

EMERGENCY RULE

V. BACKGROUND SUMMARY

The Human Services Department (Department) has filed an emergency rule in order to implement the SSI and Spousal Impoverishment Standards updates for 2017 and 2018. The emergency rules may impact Medical Assistance Program (MAP) eligibility for current recipients or a new applicant based on the updated resources and deductions as described below.

Section 9-8-6 NMSA 1978, authorizes the Department Secretary to promulgate rules and regulations that may be necessary to carry out the duties of the Department and its divisions.

Notice Date: August 30, 2018

Adoption Date: Proposed and filed as August 30, 2018

Technical Citations: 42 CFR 435.725 subparts A-F, Federal SSI and Impoverishment Standards for 2017 and 2018; CMS Resource and Cost-Sharing Limits for Low-Income Subsidy(LIS)

Summary of Revisions:

8.200.510 NMAC

Section 11 is amended to reflect the Community Spouse Resource Allowance (CSRA) increases for January 1, 2017, and January 1, 2018.

Section 12 is amended to reflect the increased Personal Needs Allowance (PNA) for July 1, 2017, and July 1, 2018.

Section 12 is amended to reflect the increase in the minimum monthly maintenance needs

allowance (MMMNA) for July 1, 2017, and July 1, 2018.

Section 12 is amended to reflect the increased shelter expenses of the community spouse minimum for July 1, 2017, and July 1, 2018.

Section 12 is amended to reflect shelter expenses of the community spouse maximum for July 1, 2017, January 1, 2018, and July 1, 2018.

Section 12 is amended to reflect the maximum total of the community spouse monthly income allowance for January 1, 2018.

Section 13 is amended to reflect the average monthly cost of nursing facilities in the transfer of asset provisions for January 1, 2018.

Section 14 is amended to reflect the resource amounts for Supplemental Security Income (SSI) related to Medicare Savings programs (QMB, SLIM/QI1 and QD) amounts for January 1, 2017, and January 1, 2018.

Section 15 is amended to conform to the excess home equity amount for long-term care services for January 1, 2018.

VI. REGULATIONS

These regulations will be contained in 8.200.510 NMAC of the Medical Assistance Division Program Manual. The register and proposed rule language are available on the HSD website at: <http://www.hsd.state.nm.us/LookingForInformation/registers.aspx> and <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 copy of the register and rule may be requested by contacting MAD at 505-827-6252.

VII. EFFECTIVE DATE

The Department will implement these rules effective August 30, 2018.

VIII. PUBLICATION

Publication of this rule approved by:



BRENT EARNEST, SECRETARY
HUMAN SERVICES DEPARTMENT