NMAC Transmittal Form





Volume: XXIX	Issue: 24	Publication date:	12/27/2018	Number of p	ages: 3	(ALD Use Onl Sequence No	
Issuing agency name and address:							Agency DFA code:
HSD - Medical Assistance Division							63000
Contact person's n	ama:	DH	one number:		E-mail addre	ce:	
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Type of rule action	. — -	. — -		. —		Most r	ecent filing date:
New Amendment Repeal Emergency Renumber 4/16/2						4/16/20	02
Title number:	Title name:						
8	Social Services						
Chapter number:	Chapter name:						
290	Medicaid Eligibility - Home and Community-Based Services Waiver (Categories 090, 091, 092, 093, 094, 095, 0						
Part number:	Part name:	 .	·		<u> </u>		
600	Benefit Description						
	L	•					
Amendment descri	iption (If filing a	n amendment):		Amendment's	S NMAC citation	on (If filing an	amendment):
Are there any mate	erials incorporat	ed by reference? P	lease list atta	chments or Inte	ernet sites if a	pplicable.	
Yes No	\checkmark						
If materials are at	tached, has copy	right permission beer	n received?	Yes	No	Public o	lomain
	Concise I	explanatory S	Stateme	ent For Ru	ılemaki	na Adopt	ion:
Specific stat		ther authority					,- -
Centennial Care 2	2.0 1115 Waiver	, Federal Register/Vol	l. 81, No. 230	, 42 CFR 435.1	19(b)(2)		
Notice date(s):	H	earing date(s):		Rule adoption d	ate:	Rule ef	fective date:
9/25/2018	1	0/24/2018		12/10/2018		1/1/201	.9

Findings required for rulemaking adoption:

Findings MUST include:

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

This rule is being repealed/replaced due to the amount of changes and for cost efficiency.

The Department amended this rule to remove outdated language requiring the ISP to be in effect 30 days for an application to be approved. New language was also added to clarify when Medicaid and Waiver services eligibility begins. New language was added regarding community benefit members who can be eligible for an ongoing nursing facility level of care. There was a language

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