

NMAC

Transmittal Form

2019 JUL 16 PM 1:37

Volume: Issue: Publication date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action:
New Amendment Repeal Emergency Renumber (ALD Use Only) Most recent filing date:

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment description (If filing an amendment): Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes No Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes No Public domain

Concise Explanatory Statement For Rulemaking Adoption:

Specific statutory or other authority authorizing rulemaking:

Notice date(s): Hearing date(s): Rule adoption date: Rule effective date:

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.

8.200.410 NMAC is being updated as mandated by state legislation contained in House Bill (HB) 371. HB371 requires the state to provide for the automatic enrollment of into Medicare Part B coverage individuals whom it deems eligible for participating in the Qualified Medicare Beneficiary (QMB) program and who are not enrolled in Medicare Part B coverage. Rather than limit automatic enrollment to QMB, as stated in HB371, the Department will automatically enroll into Medicare Part B individuals on most

Continued on next page

Findings required for rulemaking adoption:

continued

2019 JUL 16 PM 1:37

[Empty box for findings]

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:

David R. Scrase, M.D.

Check if authority has been delegated

Title:

Secretary

Signature: (BLACK ink only)

David R. Scrase

Date signed:

7/13/19

2019 JUL 16 PM 1:38

This is an amendment to 8.200.410 NMAC, Section 18, effective 8/1/2019.

8.200.410.18 AUTOMATIC ENROLLMENT INTO MEDICARE PART B COVERAGE:

- A.** Beginning August 1, 2019, HSD automatically enrolls into medicare part B individuals:
- (1) who are active on a full medicaid or medicare savings program category of eligibility with the exception of the following categories:
- (a) other adults (COE 100);
 - (b) newborn (COE 031);
 - (c) children, youth and families department medicaid categories (COEs 017, 037, 046, 047, 066, and 086);
 - (d) family planning (COE 029);
 - (e) pregnancy services (COE 301);
 - (f) refugee (COE 049 and 059);
 - (g) qualified disabled working individuals (COE 050);
 - (h) breast and cervical cancer (COE 052); and
- (2) who are enrolled in medicare part A and eligible for and not enrolled in medicare part B.
- B.** HSD informs applicants and recipients in writing who may be eligible for automatic enrollment into medicare part B. HSD will automatically enroll eligible individuals into medicare part B regardless of whether general or open enrollment of medicare part B is allowed under federal law at the time an individual is approved for medicaid.

[8.200.410.18 NMAC - N, 8/1/2019].