



State of New Mexico
Human Services Department
Human Services Register



I. DEPARTMENT
HUMAN SERVICES DEPARTMENT

II. SUBJECT
8.200.510 FEDERAL SSI AND SPOUSAL IMPOVERISHMENT STANDARDS

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 *8.200.510, Medicaid Eligibility-General Recipient* in order to implement the SSI and Spousal Impoverishment Standards updates for 2019. The Department is re-promulgating this rule in full within six months of issuance of the emergency rule in accordance with the New Mexico State Rules Act.

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: January 28, 2020

Hearing Date: March 12, 2020

Adoption Date: April 21, 2020

Technical Citations: 42 CFR 435.725 subparts A-F, Federal SSI and Impoverishment Standards for 2019.

The Department is proposing to amend the rule as follows:

8.200.510.8 NMAC

A new mission statement is being added that will guide the continued development of our Department's organizational culture and strategy.

8.200.510.12 NMAC

- Amended to reflect the increase in Personal Needs Allowance (PNA), for July 1, 2019.
- Amended to reflect the increase in the minimum monthly maintenance needs allowance (MMMNA) for July 1, 2019.
- Amended to reflect the increase in shelter expenses minimum of the community spouse for July 1, 2019.
- Amended to reflect shelter expenses maximum of the community spouse for July 1, 2019.

VI. RULE

These proposed rule changes will be contained in 8.200.510 NMAC. This register and the proposed rule are available on the HSD website at: <http://www.hsd.state.nm.us/LookingForInformation/registers.aspx> and <http://www.hsd.state.nm.us/2017-comment-period-open.aspx>. If you do not have internet access, a copy of the proposed register and rule may be requested by contacting MAD at (505) 827-1337.

VII. EFFECTIVE DATE

The Department proposes to implement this rule effective April 21, 2020.

VIII. PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held in the Seminar Room, Public Employees Retirement Association of New Mexico (PERA), 33 Plaza La Prensa, Santa Fe, NM 87507 at 9 a.m., Mountain Time (MT) on March 12, 2020.

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) 827-1337. 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 at (505) 827-1337. Interested persons may also address comments via electronic mail to: madrules@state.nm.us. Written mail, electronic mail and recorded comments must be received no later than 5 p.m. MT on March 12, 2020. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments received will be posted as they are received on the HSD website at <http://www.hsd.state.nm.us/2017-comment-period-open.aspx> along with the applicable register and rule. The public posting will include the name and any contact information provided by the commenter.

X. PUBLICATION

Publication of this rule approved by:



DAVID R. SCRASE, M.D., SECRETARY
HUMAN SERVICES DEPARTMENT