



State of New Mexico
Human Services Department
Human Services Register



I. DEPARTMENT
HUMAN SERVICES DEPARTMENT

II. SUBJECT
8.320.2 NMAC, EPSDT SPECIAL REHABILITATION (FAMILY INFANT TODDLER
EARLY INTERVENTION) SERVICES

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 8.320.2 NMAC, Early and Periodic Screening, Diagnostic and Treatment (ESPDT) Special Rehabilitation (Family Infant Toddler Early Intervention) Services. The Early Childhood Education and Care Department (ECECD) will begin administering the Family Infant Toddler (FIT) Program effective July 1, 2020. This rule is being amended to update references regarding this change.

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 25, 2020
Hearing Date: September 25, 2020
Adoption Date: Proposed as January 1, 2021
Technical Citations: CFR does not apply.

The Department proposes the following rule amendments:

Section 8 is being amended to include the Department's mission statement.

Section 16 is being amended to change all references to Department of Health to Early Childhood Education and Care Department (ECECD).

VI. RULE

These proposed rule changes will be contained in 8.320.2.16 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 the proposed changes in this rule effective January 1, 2021.

VIII. PUBLIC HEARING

A public hearing to receive testimony on these proposed rule changes will be held via conference call on Friday, September 25, 2020 at 11:00 a.m., Mountain Time (MT). **Conference Number: 1-800-747-5150. Access Code: 2284263.**

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 5:00 p.m. MT on September 25, 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:

DocuSigned by:
David Scrase
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DAVID R. SCRASE, M.D., SECRETARY
HUMAN SERVICES DEPARTMENT