

July 23, 2018

RE: Tribal Notification Letter 18-17  
NM.0173.R06.00 Developmental Disabilities Waiver Amendment and Fee Schedule

Dear Tribal Leader, Indian Health Service, Tribal Facility or other interested parties:

Consultation with New Mexico's Indian Nations, Tribes, Pueblos and their healthcare providers is an important component of the government-to-government relationship with the State of New Mexico. In accordance with the New Mexico Human Services Department's (HSD) Tribal Consultation requirements, this letter is to inform you that HSD is proposing to amend the Developmental Disabilities Home and Community-Based Services (HCBS) Waiver, NM.0173.R06.00. Currently, there are 357 Native American participants out of 3,580 unduplicated participants receiving services under the Developmental Disabilities Waiver (DDW) program.

The purpose of this amendment to the Developmental Disabilities Waiver is to update the estimated number of individuals to be served under the waiver and implement a provider rate adjustment effective January 1, 2019. The State intends to submit this amendment application to the Centers for Medicare and Medicaid Services (CMS) in October 2018.

The key components of proposed changes under this waiver amendment are as follows:

1. Update the number of participants projected to be served in the waiver program. The number of participants in the DDW is lower than the projections previously approved in the waiver renewal.

**Tribal Impact:** *HSD does not anticipate a service or financial impact to participants currently receiving services under approved Individual Service Plans/budgets, to tribes, and their healthcare providers.*

2. Implement a provider rate adjustment, effective January 1, 2019, as per stakeholder feedback during the 2018 State legislative session. The rate adjustment will provide funding support for the current waiver provider system. Rates for Behavioral Support Consultation, Case Management, Community Integrated Employment Services, Customized Community Supports, Customized In-Home Supports, Crisis Supports, Living Supports, Nutritional Counseling, Preliminary Risk Screening and Consultation Related to Inappropriate Sexual Behavior, Adult Nursing, Respite, Supplemental Dental Care, Occupational Therapy, Physical Therapy, and Speech, Language Pathology will be increased.

**Tribal Impact:** *HSD anticipates a positive financial impact to tribes and their healthcare providers who provide DDW services.*

The draft waiver renewal application and proposed fee schedule are available on the HSD webpage at: <http://www.hsd.state.nm.us/providers/written-tribal-consultations.aspx>

### IMPORTANT DATES

- Written comments on the amendment must be submitted by 5:00 p.m. Mountain Daylight Time (MDT) on **Monday, September 24, 2018**. Please send your comments or questions to the MAD Native American Liaison, Ms. Theresa Belanger, by phone: (505) 827-3122 or by email: [Theresa.Belanger@state.nm.us](mailto:Theresa.Belanger@state.nm.us).
- A public hearing for HSD to accept comments on the amendment is scheduled to be held from **10:00 am to 11:00 am on Monday, September 24, 2018 at the Toney Anaya Building, Rio Grande Room (2<sup>nd</sup> Floor), 2550 Cerrillos Road, Santa Fe, New Mexico.**
- All public comments and HSD responses will be compiled and posted on the HSD website following the public hearing.

Thank you in advance for your input and for your continued support of the Department's Native American initiatives.

Sincerely,



Nancy Smith-Leslie, Director  
Medical Assistance Division

Cc: Jim Copeland, Director, Developmental Disabilities and Supports Division (DDSD),  
Department of Health (DOH)  
Roberta Duran, Deputy Director, DDSD/DOH  
Angela Medrano, Deputy Director, Medical Assistance Division (MAD)/HSD  
Theresa Belanger, Native American Liaison, MAD/HSD