

August 25, 2020

RE: Tribal Notification to Request Advice and Comments Letter 20-13 Eliminate Resource Standards for the Medicare Savings Programs

Dear Tribal Leadership, Indian Health Service, Tribal Health Providers, and Other Interested Parties:

Seeking advice and comments from New Mexico's Indian Nations, Tribes, Pueblos and their health care 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's) Tribal Notification to Request Advice and Comments process, this letter is to inform you that HSD, through the Medical Assistance Division (MAD), is accepting written comments until **5:00 p.m., Mountain Time (MT) on September 25, 2020** regarding proposed amendments to the New Mexico Administrative Code (NMAC).

The Department through these NMAC changes is proposing to eliminate the resource requirement for the following Medicare Savings Programs (MSPs): Qualified Medicare Beneficiaries (QMB), Specified Low Income Medicare Beneficiaries (SLIMB), Qualified Disabled Working Individuals (QDWI), and Qualified Individuals 1 (QI1). The Department is eliminating the resource requirement to help more low-income individuals access assistance through the MSPs and to reduce the administrative burden for MSP applicants, beneficiaries, and the Income Support Division.

The following NMAC rules are being amended to remove the resource requirements for MSP categories:

8.215.500 NMAC-Supplemental Security Income Methodology, Income and Resource Standards; 8.240.500 NMAC-Qualified Medicare Beneficiaries, Income and Resource Standards; 8.242.500 NMAC-Qualified Disabled Individuals Whose Income Exceeds QMB and SLIMB, Income and Resource Standards; 8.245.500 NMAC-Specified Low Income Medicare Beneficiaries, Income and Resource Standards; 8.250.500 NMAC-Qualified Disabled Individuals, Income and Resource Standards.

The Department has also submitted a request to the State Records and Archives Center to change the Chapter names for 8.242 NMAC and 8.250 NMAC. The purpose of these Chapter name changes is to accurately reflect the information in those NMAC Chapters.

Estimated Total Financial Impact

Elimination of the resource requirement for MSP categories is estimated to have an annual cost of \$753,246 (\$571,624 federal/\$181,622 state). The state will recognize some savings by not having to

verify resources through the asset verification system and reduced administrative burden for caseworkers.

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 11, 2020

Hearing Date: September 25, 2020

Adoption Date: Proposed as January 1, 2021

Technical Citations: Social Security Act Section 1905(p) and 1905(s)

Tribal Impact

Elimination of the resource standard has a positive tribal impact as more applicants will be eligible for MSP categories.

Tribal Advice and Comments

Tribes and tribal health care providers may view the proposed 8.215.500, 8.240.500, 8.242.500, 8.245.500, and 8.250.500 NMAC on the HSD webpage at:
<http://www.hsd.state.nm.us/providers/written-tribal-consultations.aspx>. *Notification Letter 20-13.*

A written copy of these documents may be requested by contacting the HSD Medical Assistance Division (HSD/MAD) in Santa Fe at (505) 827-1337.

Important Dates

A public hearing will be held **via conference call** on September 25, 2020 at 1:00 p.m., MT.
Conference phone number: 1-800-747-5150. Access Code: 2284263.

Written advice and comments must be received no later than 5:00 p.m., MT on September 25, 2020. Please send your advice, comments or questions to the MAD Native American Liaison, Theresa Belanger, at (505) 827-3122 or by email to theresa.belanger@state.nm.us.

All comments and responses will be compiled and made available after October 16, 2020.

Sincerely,



Nicole Comeaux
Director

cc: Theresa Belanger, Native American Liaison, HSD/MAD
HSD/MAD Program Policy Bureau