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**TITLE 8 SOCIAL SERVICES**  
**CHAPTER 300 MEDICAID GENERAL INFORMATION**  
**PART 6 RESPONSIBILITY AND DELEGATION OF AUTHORITY**

**8.300.6.1 ISSUING AGENCY:** New Mexico Human Services Department (HSD).  
[8.300.6.1 NMAC - Rp, 8 NMAC 4.MAD.000.1, 4/15/09]

**8.300.6.2 SCOPE:** The rule applies to the general public.  
[8.300.6.2 NMAC - Rp, 8 NMAC 4.MAD.000.2, 4/15/09]

**8.300.6.3 STATUTORY AUTHORITY:** The New Mexico medicaid program is administered pursuant to regulations promulgated by the federal department of health and human services under Title XIX of the Social Security Act as amended, or state statute. See Section 27-2-12 et seq. NMSA 1978 (Repl. Pamp. 2007).  
[8.300.6.3 NMAC - Rp, 8 NMAC 4.MAD.000.3, 4/15/09]

**8.300.6.4 DURATION:** Permanent  
[8.300.6.4 NMAC - Rp, 8 NMAC 4.MAD.000.4, 4/15/09]

**8.300.6.5 EFFECTIVE DATE:** April 15, 2009, unless a later date is cited at the end of a section.  
[8.300.6.5 NMAC - Rp, 8 NMAC 4.MAD.000.5, 4/15/09]

**8.300.6.6 OBJECTIVE:** The objective of these rules is to provide instruction for the service portion of the New Mexico medical assistance programs.  
[8.300.6.6 NMAC - Rp, 8 NMAC 4.MAD.000.6, 4/15/09]

**8.300.6.7 DEFINITIONS:** [RESERVED]

**8.300.6.8 MISSION STATEMENT:** The mission of the New Mexico medical assistance division (MAD) is to maximize the health status of eligible recipients by furnishing payment for quality health services at levels comparable to private health plans.  
[8.300.6.8 NMAC - Rp, 8 NMAC 4.MAD.002, 4/15/09]

**8.300.6.9 RESPONSIBILITY AND DELEGATION OF AUTHORITY TO DIVISION:** MAD administers the state medicaid program and other health care programs. MAD pays for medically necessary services furnished to eligible recipients who qualify for public assistance programs, institutional care programs, and optional programs under federal Social Security Act and other designated programs. See NMSA 1978 27-2-12 et seq. (Repl. Pamp. 2007). Coverage of services by medicaid is based on the federal Social Security Act, as amended, and subject to the appropriations and availability of federal and state funds. Administration may be provided through designated contractors and other state agencies.  
[8.300.6.9 NMAC - Rp, 8 NMAC 4.MAD.020, 4/15/09]

**8.300.6.10 STATUS OF PROVIDER TO HUMAN SERVICES DEPARTMENT:** A provider, its agents and employees are independent contractors who perform professional services for eligible recipients served through health care programs administered by HSD or its authorized agents and are not employees of HSD, or the state of New Mexico. A provider shall not purport to bind neither HSD nor the state of New Mexico to any obligation not expressly authorized, unless HSD has given the provider express written permission to do so.  
[8.300.6.10 NMAC - N; 4/15/09]

**HISTORY OF 8.300.6 NMAC:**

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center: SP-001.0400, Section 1, Single State Agency Organization State Medical Care Advisory Committee, filed 1/15/81. SP-004.0700, Section 4, General Program Administration Maintenance of Reports, filed 1/23/81. SP-001.0203, Section 1, Single State Agency Organization Professional Medical Personnel and Supporting Staff, filed 3/3/81.

SP-004.0900, Section 4, General Program Administration Reporting Provider Payments to Internal Revenue Service, filed 3/3/81.

SP-001.0202, Section 1, Single State Agency Organization and Function of Medical Assistance Unit, filed 3/11/81.

History of Repealed Material:

8 NMAC 4.MAD.020, Responsibility and Delegation of Authority, filed 1/18/95 - Repealed effective 4/15/2009.

**MAD 020 Responsibility and Delegation of Authority repealed and replaced with 8.300.6 NMAC, Responsibility and Delegation of Authority, repealed and replaced**

**MAD 085 Medical Assistance Division Policy repealed and replaced with 8.300.21 NMAC, Medical Assistance Division Policy**  
**Originator: Jennifer Chavez**

PROPOSED

1/29/08 Received NMAC'd rules from Art Bransford at SRCA  
Originally included Conflict of Interest and Out of State Providers.  
Delayed because OOS Providers a priority.  
8.300.6 and 8.300.21 to have December 2008 file date.  
Not at secretary's on 8/22, do not schedule hearing date for 10/30  
Notices sent 11/19/08  
Back from Secty 12/5/08  
Put on Web 12/10/08  
Schedule hearing for 1/15/09  
Effective date of 3-1-09 changed to 3-17-09  
Emailed Jennifer – need FINAL register, MR for routing