

July 31, 2015

Interested parties

**RE: Tribal Consultation Letter 15-19: New Mexico State Plan Amendment (SPA) 15-07, Concurrent Hospice Care for Children in Medicaid and CHIP**

Dear Tribal Leadership, Indian Health Service, Tribal Facilities and 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, through the Medical Assistance Division (MAD), is accepting written comments through August 31, 2015, regarding its proposed amendment to the SPA 15-07 – Concurrent Hospice Care for Children in Medicaid and CHIP. The proposed amendment SPA 15-07 is to document that the New Mexico Medicaid program does comply with section 2302 of the Affordable Care Act entitled "Concurrent Care for Children." Section 2302 of the law amends sections 1905(o)(1) and 2110(a)(23) of the Social Security Act to remove the prohibition of receiving curative treatment upon the election of the hospice benefit by or on behalf of a Medicaid or Children's Health Insurance Program (CHIP) eligible child. This new provision requires states to make hospice services available to children eligible for Medicaid and Medicaid-expansion CHIP programs without forgoing any other service to which the child is entitled under Medicaid for treatment of the terminal condition.

***Tribal Impact:*** *HSD does not anticipate a negative service or financial impact to individuals, tribes or their healthcare providers. The change allows more benefits to be available to a child under a hospice program.*

**Tribal Consultation Comments -**

Tribes and their healthcare providers may view proposed SPA 15-07 on the HSD webpage at: <http://www.hsd.state.nm.us/providers/written-tribal-consultations.aspx>, ***Consultation Letter 15-19.***

**IMPORTANT DATES:**

- **Written comments must be submitted by 5:00 p.m. Mountain Daylight Time (MDT) on August 31, 2015.** Please send your comments and questions to the MAD Native American Liaison, Theresa Belanger, Medical Assistance Division, P.O. Box 2348, Santa Fe, New Mexico 87504-2348, by phone at (505) 827-3122 or by email at: [Theresa.Belanger@state.nm.us](mailto:Theresa.Belanger@state.nm.us).

- All tribal consultation comments and responses will be compiled and available *after September 7, 2015*.

Sincerely,



Nancy Smith-Leslie, Director  
Medical Assistance Division

cc: Theresa Belanger, Native American Liaison, MAD  
Russell Toal, Deputy Director, MAD  
HSD/MAD/PPB/PMCU