November 20, 2014

RE: Tribal Consultation Letter 14-16: New Mexico State Plan Amendment (SPA) 14-14 Extension of Primary Care Increase

Dear Tribal Leadership, IHS, Tribal Facilities 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, through the Medical Assistance Division (MAD), is accepting written comments through December 20, 2014, regarding its proposed amendment to extend the increases to primary care providers that began in 2013 and continued into 2014 to continue in 2015 and beyond.

The primary purpose of SPA 14-14 is to obtain federal approval for the New Mexico Medical Assistance Division to extend the primary care provider enhanced payment program. This program is defined in sections 1902(a)(13), 1902(jj), 1905(dd) and 1932(f) of the Social Security Act as amended by the Affordable Care Act and was originally put into effect for the years 2013 and 2014. HSD intends to continue this program in 2015 and beyond, using the Medicare fee schedule in effect during each of the extension years as the minimum base rate for primary care services. The following changes are also being requested.

(1) MAD is including OB-GYN as a specialty which can participate in the attestation and payment process. This is because the primary care services that obstetricians/gynecologists provide are so critical to the Medicaid program.

  Tribal Impact: HSD does not anticipate a service or financial impact to individuals, tribes or their healthcare providers with the addition of clarifying language to the rule.

(2) HSD is also proposing to not apply the increase to Medicare cross over claims, that is, those where Medicare is the primary payer. This is because deductibles and co-insurance must be applied to the individual line (sometimes prorated or otherwise distributed) in order to know how much has already been paid towards an individual service. Information is not always received this way for deductible amounts and not always processed this way on a coinsurance amount.

  Tribal Impact: HSD anticipates an overall reduction in payments to I.H.S. and tribal facilities, in total, of not more than $12,000.00.
**Tribal Consultation Comments**

Tribes and their healthcare providers may view proposed SPA 14-14, on the HSD webpage at: http://www.hsd.state.nm.us/providers/written-tribal-consultations.aspx, *Letter 14-16.*

**IMPORTANT DATES:**

- **Written comments must be submitted by 5:00 p.m. Mountain Standard Time (MST) on December 20, 2014.** 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.

- All comments and responses will be compiled and available after January 5, 2015.

Sincerely,

[Signature]

Julie B. Weinberg, Director  
Medical Assistance Division  

cc: Theresa Belanger, Native American Liaison, MAD  
Russell Toal, Deputy Director, MAD  
HSD/MAD/PPIB-Program Management/Communications Unit