



Michelle Lujan Grisham, Governor
David R. Scrase, M.D., Secretary
Nicole Comeaux, J.D., M.P.H, Director

September 16, 2022

RE: Tribal Notification to Request Advice and Comments Letter 22-27: Applied Behavior Analysis (ABA) Coverage

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 comments until **5:00 p.m. Mountain Time (MT), October 16, 2022** regarding proposed state plan amendment (SPA) 22-0022 Applied Behavior Analysis (ABA) Coverage.

Effective October 1, 2022, New Mexico is updating its state plan to conform with state and federal requirements. State plan language is being added to prohibit age and dollar limits on services related to autism spectrum disorder (ASD).

The State of New Mexico is currently providing services to the adult ABA population and does not have dollar limits on services related to ASD; however, the current state plan language does not specify those details.

Tribal Impact

There is no service or financial impact to Indian Nations, Tribes, Pueblos and their health care providers. New Mexico state plan language is being updated to specify current coverage of ABA services.

Tribal Advice and Comments

Tribes and their healthcare providers may view the proposed changes, on the HSD webpage at: <https://www.hsd.state.nm.us/providers/written-tribal-consultations/> **Tribal Notification 22-27.**

Important Dates

Written comments must be submitted by 5:00 p.m. Mountain Time (MT) October 16, 2022. Please send your comments to the MAD Native American Liaison, **Theresa Belanger**, at (505) 670-8067 or by email at: Theresa.Belanger@state.nm.us. All written comments received will be posted on the HSD website at: <https://www.hsd.state.nm.us/providers/written-tribal-consultations/> along with this notification letter. The public posting will include the name and any contact information provided by

the commenter.

Tribal Leadership may request a government-to-government consultation by October 16, 2022.
This request may be made to: Theresa.Belanger@state.nm.us or by calling (505) 670-8067.

Sincerely,



Nicole Comeaux, J.D., M.P.H.
State Medicaid Director