

October 29, 2018

The New Mexico Human Services Department (the Department) is providing this notice for the purpose of receiving public comment regarding a proposed State Plan Amendment (SPA) that will allow the state to claim federal financial participation (FFP) through the Medicaid State Plan to cover former foster care individuals up to age 26 who were in foster care under the responsibility of another state. The estimated financial impact is approximately \$108,000 (\$32,400 in state general funds) annually.

The Department currently covers this population with state general funds. In 2017, the Centers for Medicare and Medicaid Services (CMS) finalized a regulation revoking Medicaid coverage for these individuals without explicit 1115 waiver authority. This SPA will accompany the Centennial Care 1115 waiver renewal to be effective on January 1, 2019, in which HSD requested FFP to cover this population.

New Mexico currently provides coverage under the Other Adult Group to adults with income below 133% of the federal poverty level (FPL). HSD is submitting this SPA to CMS to extend coverage to former foster care individuals who aged out of foster care from another state and whose income exceeds 133% FPL. It is HSD's intention to have a SPA effective date of January 1, 2019, to be concurrent with the effective date of the 1115 Centennial Care waiver. New Mexico is not requesting an upper income limit for this population, which is consistent with how the State currently covers individuals who aged out of foster care in New Mexico.

#### **OPPORTUNITY TO VIEW DOCUMENTS AND MAKE COMMENTS**

Medicaid providers, Medicaid recipients, and other interested parties are invited to make comments on this proposal. The complete draft amendment may be found on the Department's website at:

<http://www.hsd.state.nm.us/LookingForInformation/registers.aspx> and  
<http://www.hsd.state.nm.us/public-notices-proposed-rule-and-waiver-changes-and-opportunities-to-comment.aspx>.

A written copy of these proposed documents may be requested by contacting the HSD Medical Assistance Division (HSD/MAD) in Santa Fe at (505) 827-6252.

Recorded comments may be left by calling (505) 827-6252. Electronic comments may be submitted to [madrules@state.nm.us](mailto:madrules@state.nm.us). All comments must be received no later than 5:00 p.m. MT on November 30, 2018. Written or e-mailed comments are preferred because they become part of the record associated with these changes. All written comments will be posted as they are received on the HSD website at <http://www.hsd.state.nm.us/2017-comment-period-open.aspx>. The public posting will include the name and any contact information provided by the commenter.

Interested persons may address written comments to:

Human Services Department  
Office of the Secretary  
ATTN: Medical Assistance Division Public Comments  
P.O. Box 2348  
Santa Fe, New Mexico 87504-2348

Copies of all comments will be made available by HSD/MAD upon request by providing copies directly to a requestor or by making them available on the HSD/MAD website or at a location within the county of the requestor.