

**MEDICAID ELIGIBILITY – GENERAL RECIPIENT POLICIES  
SPECIAL RECIPIENT REQUIREMENTS  
Tribal Consultation Version 9.16.13**

**TITLE 8 SOCIAL SERVICES  
CHAPTER 200 MEDICAID ELIGIBILITY - GENERAL RECIPIENT POLICIES  
PART 420 SPECIAL RECIPIENT REQUIREMENTS**

**8.200.420.1 ISSUING AGENCY:** New Mexico Human Services Department (HSD).  
[8.200.420.1 NMAC - Rp, 8.200.420.1 NMAC, 1-1-14]

**8.200.420.2 SCOPE:** The rule applies to the general public.  
[8.200.420.2 NMAC - Rp, 8.200.420.2 NMAC, 1-1-14]

**8.200.420.3 STATUTORY AUTHORITY:** The New Mexico medicaid program and other health care programs are 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 by state statute. See NMSA 1978, Section 27-1-12 et seq.  
[8.200.420.3 NMAC - Rp, 8.200.420.3 NMAC, 1-1-14]

**8.200.420.4 DURATION:** Permanent.  
[8.200.420.4 NMAC - Rp, 8.200.420.4 NMAC, 1-1-14]

**8.200.420.5 EFFECTIVE DATE:** January 1, 2014, unless a later date is cited at the end of a section.  
[8.200.420.5 NMAC - Rp, 8.200.420.5 NMAC, 1-1-14]

**8.200.420.6 OBJECTIVE:** The objective of this rule is to provide specific instructions when determining eligibility for the medicaid program and other health care programs. Generally, applicable eligibility rules are detailed in the medical assistance division (MAD) eligibility policy manual, specifically 8.200.400 NMAC, *General Medicaid Eligibility*. Processes for establishing and maintaining MAD eligibility are detailed in the income support division (ISD) general provisions 8.100 NMAC, *General Provisions for Public Assistance Programs*.  
[8.200.420.6 NMAC - Rp, 8.200.420.6 NMAC, 1-1-14]

**8.200.420.7 DEFINITIONS:** [RESERVED]

**8.200.420.8 MISSION:** To reduce the impact of poverty on people living in New Mexico by providing support services that help families break the cycle of dependency on public assistance.  
[8.200.420.8 NMAC - Rp, 8.200.420.8 NMAC, 1-1-14]

**8.200.420.9 AGE:** For certain medicaid categories, an individual must meet specified age requirements. See specific NMAC eligibility chapters for each medicaid category for age requirements.  
[8.200.420.9 NMAC - Rp, 8.200.420.9 NMAC, 1-1-14]

**8.200.420.10 SCHOOL ATTENDANCE:** School attendance is a factor in determining JUL medicaid eligibility for 18 year-old applicants or re-determining recipients. School attendance is not a factor in determining JUL medicaid for children under the age of 18 years.  
[8.200.420.10 NMAC - Rp, 8.200.420.10 NMAC, 1-1-14]

**8.200.420.11 DISABILITY:** For an individual applying for a specific MAD category of eligibility, disability is a condition of eligibility. The determination of disability is made by the disability determination services unit. The social security administration's (SSA) definition of disability is used for that determination.  
[8.200.420.11 NMAC - Rp, 8.200.420.11 NMAC 1-1-14]

**8.200.420.12 THIRD PARTY LIABILITY:** Refer to 8.200.430.13 NMAC.  
[8.200.420.12 NMAC - Rp, 8.200.420.12 NMAC, 1-1-14]

**8.200.420.13 MEDICAID ESTATE RECOVERY:** Refer to 8.200.430.20 NMAC.  
[8.200.420.13 NMAC - Rp, 8.200.420.13 NMAC, 1-1-14]

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**HISTORY 8.200.420 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center:

- ISD 304.1000, Provider Reimbursement Responsibility, filed 1-7-80.
- ISD 304.1000, Provider Reimbursement Responsibility, filed 9-9-81.
- ISD 304.2000, Recipient Reimbursement Responsibility, filed 1-9-80.
- ISD 304.3000, Reimbursement Limitations, filed 1-7-80.
- ISD 304.3000, Reimbursement Limitations, filed 9-9-81.
- ISD Rule 304.3000, Reimbursement Limitations, filed 12-17-85.
- ISD 304.4000, Billing Limitations, filed 1-7-80.
- ISD 304.4000, Billing Limitations, filed 9-9-81.
- ISD 304.7000, Reimbursement To Out-Of-State Providers, filed 1-7-80.
- ISD 304.7000, Reimbursement To Out-Of-State Providers, filed 9-9-81.
- ISD 304.8000, Third Party Liability, filed 1-7-80.
- ISD 304.8000, Third Party Liability, filed 9-9-81.
- ISD 304.9000, Usual And Customary, filed 1-7-80.
- ISD 304.9000, Reasonable Charge Pricing, filed 9-9-81.
- ISD Rule 304.9000, Reasonable Charge Pricing, filed 2-17-84.
- ISD Rule 304.9000, Reasonable Charge Pricing, filed 3-30-84.
- MAD Rule 304.9, Reimbursement, filed 12-15-87.
- MAD Rule 304.9, Reimbursement, filed 8-11-88.
- MAD Rule 304, Billing And Reimbursement, filed 11-8-89.
- MAD Rule 304, Billing And Reimbursement, filed 4-21-92.

**History of Repealed Material:**

8.200.420 NMAC, Special Recipient Requirements, filed 6-13-01 - Repealed effective 1-1-14.