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**State/Territory Name: New Mexico**

**State Plan Amendment (SPA) NM-22-0021**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Centers for Medicare & Medicaid Services  
Center for Medicaid & CHIP Services  
233 North Michigan Ave., Suite 600  
Chicago, Illinois 60601



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**Financial Management Group**

December 19, 2022

Ms. Nicole Comeaux  
Director  
Medical Assistance Division  
New Mexico Human Services Department  
2025 South Pacheco Drive  
P.O. Box 2348  
Santa Fe, New Mexico 87504-2348

Re: New Mexico State Plan Amendment (SPA) 22-0021

Dear Ms. Comeaux:

We have reviewed the proposed New Mexico State Plan Amendment (SPA) to Attachment 4.19-B, NM#22-0021, which was submitted to the Centers for Medicare & Medicaid Services (CMS) on October 25, 2022. Effective October 1, 2022, New Mexico is updating its State Plan. Language is being added to clarify that telehealth and teleconsultation services are reimbursed at the same rate as face-to-face visits. The State of New Mexico currently reimburses telehealth and teleconsultation services at the same rate as face-to-face visits; however, the State Plan does not specify that.

Based upon the information provided by the State, we have approved the amendment with an effective date of October 1, 2022. We are enclosing the approved CMS-179 and a copy of the new state plan page.

If you have any additional questions or need further assistance, please contact Monica Neiman at: [Monica.Neiman@cms.hhs.gov](mailto:Monica.Neiman@cms.hhs.gov).

Sincerely,

*Todd McMillion*

Todd McMillion  
Director  
Division of Reimbursement Review

Enclosures

**TRANSMITTAL AND NOTICE OF APPROVAL OF  
STATE PLAN MATERIAL  
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER <u>2</u> <u>2</u> — <u>0</u> <u>0</u> <u>2</u> <u>1</u>	2. STATE <u>NM</u>
3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT <input checked="" type="radio"/> XIX <input type="radio"/> XXI	

TO: CENTER DIRECTOR CENTERS FOR MEDICAID & CHIP SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES	4. PROPOSED EFFECTIVE DATE October 1, 2022
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5. FEDERAL STATUTE/REGULATION CITATION 42 CFR 447 Subpart F	6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY <u>23</u> \$ <u>0</u> b. FFY <u>24</u> \$ <u>0</u>
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7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT  Attachment 4.19-B, pg. 2b	8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)  Attachment 4.19-B, pg. 2b (TN 19-0017)
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9. SUBJECT OF AMENDMENT  
Effective October 1, 2022, New Mexico is updating its State Plan to clarify that telehealth and teleconsultation services are reimbursed at the same rate as face-to-face visits.


10. GOVERNOR'S REVIEW (Check One)

GOVERNOR'S OFFICE REPORTED NO COMMENT

COMMENTS OF GOVERNOR'S OFFICE ENCLOSED

NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL


OTHER, AS SPECIFIED:  
Authority delegated to the Medicaid Director

11. SIGNATURE OF STATE AGENCY OFFICIAL 	15. RETURN TO  Nicole Comeaux, J.D., M.P.H., Director Medical Assistance Division P.O. Box 2348 Santa Fe, NM 87504-2348
12. TYPED NAME Nicole Comeaux	
13. TITLE Director, Medical Assistance Division	
14. DATE SUBMITTED October 25, 2022	

**FOR CMS USE ONLY**

16. DATE RECEIVED October 25, 2022	17. DATE APPROVED December 16, 2022
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**PLAN APPROVED - ONE COPY ATTACHED**

18. EFFECTIVE DATE OF APPROVED MATERIAL October 01, 2022	19. SIGNATURE OF APPROVING OFFICIAL 
20. TYPED NAME OF APPROVING OFFICIAL Todd McMillion	21. TITLE OF APPROVING OFFICIAL Director Division of Reimbursement Review

22. REMARKS

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
STATE OF NEW MEXICO  
AND STANDARDS FOR ESTABLISHING PAYMENT RATES  
--OTHER TYPES OF CARE

**Attachment 4.19-B**  
**Page 2b**

Except as otherwise noted in the state plan, state developed fee schedule rates are the same for both governmental and private providers. Effective October 1, 2022, the agency's telehealth and teleconsultation services are reimbursed at the same rate as face-to-face visits that are listed in the current fee schedules. All rates are published at: <https://www.hsd.state.nm.us/providers/fee-schedules/>. Notice of changes to rates will be made as required by 42 CFR 447.205.

TN No. 22-0021

Approval Date December 19, 2022

Supersedes TN No. NM 19-0017

Effective Date 10/1/2022