

#6 Vol. 40 2017



State of New Mexico
Human Services Department
Human Services Register



I. DEPARTMENT

NEW MEXICO HUMAN SERVICES DEPARTMENT (HSD)

II. SUBJECT

8.311.3 NMAC METHODS AND STANDARDS FOR ESTABLISHING PAYMENT-
INPATIENT HOSPITAL SERVICES

III. PROGRAM AFFECTED

(TITLE XIX) MEDICAID

IV. ACTION

PROPOSED RULE

V. BACKGROUND SUMMARY

The Human Services Department (the Department), through the Medical Assistance Division (MAD), is proposing to proposing one amendment to 8.311.3 NMAC Methods and Standards.

The Department, in complying with the 2016 General Appropriations Act, which directs the Department to reduce reimbursement rates paid to Medicaid providers, implemented several measures in July and August 2016 related to provider reimbursement. Some of these measures required approval from the Centers for Medicare and Medicaid Services (CMS).

One of the measures, approved by CMS effective July 1, 2016, was for the Department to reduce the reimbursement rate found in Section 12 Prospective Payment Methodology for Hospitals, Subsection F Special prospective payment provisions, Paragraph (1) Outlier cases from ninety percent to eighty-five percent of the hospital's standardized cost.

The Department is now amending the state rule to be consistent with the Medicaid State Plan as approved by CMS.

VI. RULE

This proposed rule will be contained in 8.311.3 NMAC. The register and proposed rule are available on the HSD 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->

[to-comment.aspx](#). If you do not have internet access, a copy of the proposed register and rule may be requested by contacting MAD outside of Santa Fe at 505-888-997-2583 extension 7-6252 or in Santa Fe 827-6252.

VII. EFFECTIVE DATE

The Department proposes to implement this rule effective July 1, 2017.

VIII. PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held in Hearing Room 1, Toney Anaya Building, 2550 Cerrillos Road, Santa Fe, New Mexico May 25, 2017 from 11 a.m. to 12 p.m., Mountain Daylight Time (MDT).

If you are a person with a disability and you require this information in an alternative format or require a special accommodation to participate in the public hearing, please contact MAD toll free at 1-888-997-2583 and ask for extension 7-3156. In Santa Fe call 827-3156. The Department's TDD system may be accessed toll-free at 1-800-659-8331 or in Santa Fe by calling 827-3184. The Department requests at least 10 working days advance notice to provide requested alternative formats and special accommodations.

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

IX. ADDRESS

Interested persons may address written or recorded 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

Recorded comments may be left at (505) 827-1337. Interested persons may also address comments via electronic mail to: madrules@state.nm.us. Written mail, electronic mail and recorded comments must be received no later than 5 p.m. MDT on May 25, 2017. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.

X. PUBLICATIONS

Publication of this rule approved by:

A handwritten signature in black ink, appearing to read "Brent Earnest", is written over a solid horizontal line.

**BRENT EARNEST, SECRETARY
HUMAN SERVICES DEPARTMENT**