



Michelle Lujan Grisham, Governor
David R. Scrase, M.D., Secretary

May 29, 2020

Interested Parties:

RE: Amendment to the Developmental Disabilities Waiver (DDW) and Fee Schedule

The State of New Mexico Human Services Department (HSD) through the Medical Assistance Division (MAD) is accepting written and recorded comments for a period of 30 calendar days ending at 5:00 p.m. Mountain Time (MT) Monday, June 29, 2020 regarding the Developmental Disabilities 1915 (c) Home and Community-Based Services (HCBS) Waiver amendment and proposed fee schedule.

The State intends to submit this amendment to the Centers for Medicare and Medicaid Services (CMS) in July 2020.

The key components of proposed changes under this amendment are as follows:

1. Update the developmental disabilities eligibility definition from a categorical to a functional eligibility criterion. The State found that national best practice is to utilize a “functional” criterion that is based on adaptive abilities. Updates were made to Appendix B-1-b.

Impact: *HSD does not anticipate a service or financial impact to participants currently receiving services. HSD anticipates a positive impact to applicants who may be eligible for services under the functional definition of developmental disabilities.*

2. Implement a rate increase, effective October 1, 2020 for Case Management, Supported Employment, Customized Community Support, Crisis Supports, Supported Living, Intensive Medical Living Services, Nutritional Counseling, Preliminary Risk Screening and Consultation for Inappropriate Sexual Behavior, and Respite. Updates were made to Appendix I-2 a and J-2-d(i).

Impact: *HSD anticipates a positive financial impact to DDW service providers.*

These proposed changes are contained in the DDW Amendment Application and will be made available on Friday, May 29, 2020 on the HSD website at: <http://www.hsd.state.nm.us/2017-comment-period-open.aspx>. If you do not have Internet access, a paper copy of the proposed changes may be requested by contacting MAD in Santa Fe at 505-827-1337.

A public hearing to receive testimony on this application will be **held via conference call at 10:00 a.m., Mountain Time (MT) on Monday, June 29, 2020. The conference call toll-free number is: 1-800-747-5150, Access code: 0440241.** Interested parties may submit written comments directly to: Human Services Department, Office of the Secretary, ATT: 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 **5:00 p.m. Mountain Time (MT) on Monday, June 29, 2020**. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.

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 in Santa Fe at 505-827-1337. The Department requests at least ten (10) days advance notice to provide requested alternative formats and special accommodations.

Copies of all comments will be made available by the 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.