



Michelle Lujan Grisham, Governor
David R. Scrase, M.D., Secretary
Nicole Comeaux, J.D., M.P.H, Director

July 21, 2022

RE: Tribal Notification to Request Advice and Comments Letter 22-22: Extend Refugee Medical Assistance eligibility from eight to 12-months.

Dear Tribal Leadership, Indian Health Service, Tribal Health Providers, and Other Interested Parties:

Seeking advice and comments from New Mexico's Indian Nations, Tribes, Pueblos and their health care providers is an important component of the government-to-government relationship with the State of New Mexico. In accordance with the New Mexico Human Services Department's (HSD's) Tribal Notification to Request Advice and Comments process, this letter is to inform you that HSD, through the Medical Assistance Division (MAD), is accepting written comments until **5:00 p.m., Mountain Time (MT) on August 26, 2022** regarding proposed amendments to the following New Mexico Administrative Code 8.200.400, 8.249.400, and 8.249.600 NMAC to extend eligibility for Refugee Medical Assistance (RMA) from eight months to 12-months.

Section 9-8-6 NMSA 1978, authorizes the Department Secretary to promulgate rules and regulations that may be necessary to carry out the duties of the Department and its divisions.

Notice Date: July 26, 2022

Hearing Date: August 26, 2022

Adoption Date: Proposed as January 1, 2023

Technical Citations: Office of Refugee Resettlement (ORR)-DCL 22-12 Expansion of RMA Eligibility Period

The Department is proposing to amend the rules as follows:

Background

The Office of Refugee Resettlement (ORR) issued guidance that expands the Refugee Medical Assistance (RMA) eligibility period from eight months to 12 months for ORR-eligible populations whose date of eligibility for ORR benefits is on or after October 1, 2021. Historically the RMA eligibility period has been eight months since federal fiscal year 1992 due to insufficient appropriations.

Estimated Total Financial Impact

The estimated total financial impact is estimated to be about \$8,800 in state general fund per year.

Tribal Impact

There is no anticipated tribal impact.

Tribal Advice and Comments

Tribes and tribal healthcare providers may view the proposed NMAC rules on the HSD webpage at: <https://www.hsd.state.nm.us/providers/written-tribal-consultations/>. *Notification Letter 22-22.*

A written copy of these documents may be requested by contacting the HSD Medical Assistance Division (HSD/MAD) in Santa Fe at (505) 827-1337.

Important Dates

A public hearing to receive testimony on these proposed rules will be held **via conference call on Friday, August 26, 2022, at 9 a.m. Mountain Time (MT). Conference phone number: 1-800-747-5150. Access Code: 2284263.**

Written advice and comments must be received no later than 5:00 p.m. MT on August 26, 2022. Please send your advice, comments or questions to the MAD Native American Liaison, Theresa Belanger, at (505) 670-8067 or by email to theresa.belanger@state.nm.us.

All comments and responses will be compiled and made available after September 9, 2022.

Sincerely,



Nicole Comeaux, J.D., M.P.H, Director
Medical Assistance Division