



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

June 28, 2019

RE: Tribal Notification to Request Advice and Comments Letter 19-13 - Census Wages Exclusion

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) through July 28, 2019**, regarding proposed State Plan Amendment (SPA) 19-0009 that would exclude all wages paid by the Census Bureau for temporary employment related to census activities.

The census wage exclusion is applicable to all aged, blind, and disabled (ABD) Medicaid categories. The SPA is not applicable to children and family Medicaid categories because temporary census income is taxable income and cannot be excluded from the modified adjusted gross income (MAGI) eligibility calculation. New Mexico's current SPA limits the census wage exclusion to Census 2000 activities for ABD categories. The new SPA will request a general census wage exclusion for temporary employment related to census activities; it will not cite a specific year. The requested effective date for this SPA is July 1, 2019. The estimated financial impact is \$2.5 million dollars (\$750,000 in state general funds) for FFY 20 and \$10 million dollars (\$3 million in state general funds) for FFY 21.

Tribal Impact

The Human Services Department anticipates this change will have a positive impact on Native Americans. The proposed change will allow the ABD individuals to remain eligible for Medicaid services.

Tribal Advice and Comments

Tribes and tribal health care providers may view the proposed SPA on the HSD website at <https://www.hsd.state.nm.us/2017-comment-period-open.aspx> or <http://www.hsd.state.nm.us/providers/written-tribal-consultations.aspx>

Important Dates

- **Written comments must be submitted by 5:00 p.m. Mountain Time (MT) on July 28, 2019.** Please send your comments to the MAD Native American Liaison, Theresa Belanger, at (505) 827-3122 or by email to Theresa.Belanger@state.nm.us.
- Comments and responses will be compiled and made available upon request.

Sincerely,



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

cc: Kari Armijo, HSD/MAD Deputy Director
Theresa Belanger, Native American Liaison, HSD/MAD