

NOTICE OF RULEMAKING

The New Mexico Health Care Authority (HCA), through the Medical Assistance Division (MAD), is proposing to amend the New Mexico Administrative Code (NMAC) rule 8.308.2, *Managed Care Program, Provider Network*. This proposed amendment ensures members' preferences are honored by directing Turquoise Care Managed Care Organizations (MCOs) to reassign the member to a different primary care provider when their claims history reflects they prefer a different provider.

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: February 24, 2026

Hearing Date: March 26, 2026

Adoption Date: Proposed as July 1, 2026 Technical Citations: Section 9-8-6 NMSA 1978

Background

The reconciliation of Managed Care Organization (MCO) member primary care provider (PCP) assignments is an essential component to supporting member choice.

The reconciliation process serves to align the member's assigned PCP with their actual choice of provider, should it differ from the initial assignment made by the MCO. This ensures that members' preferences are accurately reflected in the system. It also enables PCPs to have a clear understanding of their assigned member panels, which can assist with providing effective and coordinated patient care.

Within value-based care models, such as HCA's Primary Care Payment Reform Program, the methodologies used for member attribution can be significantly influenced by the accuracy of member assignments. Ensuring that member assignments are consistent with actual member choices strengthens the integrity of value-based arrangements.

Currently, two MCOs are piloting a reconciliation process, and have demonstrated long-standing success and high levels of member satisfaction. The proposed amendment is designed to extend the reconciliation process so that it is implemented uniformly across all four MCOs.

NMAC 8.308.2

Section 8 has been updated to include the Departments current mission statement.

Section 10 has been updated to add a claims-based utilization analysis which indicates the member's preference for a different PCP.

Throughout the NMAC the following changes have been made:

1. Revising references to "his or her" to "their".
2. Changed HSD to HCA.

I. RULE

These proposed rule changes will be contained in 8.308.2 NMAC. This register and the proposed rule are available on the HCA website at: <https://www.hca.nm.gov/lookingforinformation/registers/> and <https://www.hca.nm.gov/2026-comment-period-open/>. If you do not have internet access, a copy of the proposed register and rule may be requested by contacting MAD at (505) 827-1337.

II. EFFECTIVE DATE

The HCA proposes implementing this rule effective July 1, 2026.

III. PUBLIC HEARING

A public hearing to receive testimony on this proposed rule will be held on March 26, 2026, at 1:30 pm. The hearing will be held at the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Microsoft Teams.

Join Teams Meeting Join the meeting now

Meeting ID: 264 516 477 014 4

Passcode: YM9FM3it

Dial in by phone

+1 505-312-4308,,688187291# United States, Albuquerque Find a local number

Phone conference ID: 688 187 291#

If you are a person with a disability and you require this information in an alternative format or require special accommodation to participate in the public hearing, please contact the MAD in Santa Fe at (505) 827-1337. The HCA requests at least ten (10) working days advance notice to provide requested alternative formats and special accommodation.

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.

IV. ADDRESS

Interested persons may address written comments to:

New Mexico Health Care Authority 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: HCA-madrules@hca.nm.gov. Written mail, electronic mail and recorded comments must be received **no later than 5:00 p.m., Mountain Time (MT), on March 26, 2026**. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments received will be posted as they are received on the HCA website at <https://www.hca.nm.gov/lookingforinformation/registers/> and <https://www.hca.nm.gov/2026-comment-period-open/> along with the applicable register and rule. The public posting will include the name and any contact information provided by the commenter.

X. PUBLICATION

Publication of this rule approved by:

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KARI ARMIJO, SECRETARY
NEW MEXICO HEALTH CARE AUTHORITY