

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 8.308.6 NMAC, *Managed Care Program, Managed Care Organization (MCO) Enrollment*, 8.308.7 NMAC, *Managed Care Program, Enrollment and Disenrollment*, and 8.308.8 NMAC, *Managed Care Program, Member Rights, Responsibilities and Education*. A new NMAC, 8.310.14, *Health Care Professional Services, JUST Health Plus program*, is also being proposed.

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: March 10, 2026

Hearing Date: April 9, 2026

Adoption Date: Proposed as August 1, 2026

Technical Citations: 42 CFR §438, NM Turquoise Care 1115 Demonstration Waiver

Background

The New Mexico Health Care Authority (HCA), through the Medical Assistance Division (MAD), is proposing a new rule under the Health Care Professional Services section of the New Mexico Administrative Code (NMAC). Effective July 1, 2025, MAD began enhancements to the Justice-Involved Utilization of State Transitioned (JUST) Healthcare program. The enhanced program will be known as JUST Health Plus-program. The program covers medically necessary health services furnished to eligible recipients. The program will help individuals reentering the community following incarceration. MAD received 1115 authority, from the Centers for Medicare and Medicaid Services (CMS), to pay for covered medical services provided to incarcerated Medicaid eligible individuals up to 90 days before their release. This part describes eligible providers, covered services, service limitations, and general reimbursement methodology. This new NMAC is to establish rules for the JUST Health Plus program in New Mexico.

MAD is updating the Medicaid re-enrollment rules from 6 months to 3 months aligning NMAC to program functionality.

The HCA is proposing to amend the rules as follows:

Throughout the NMACs:

1. Language updates have been made to align formatting and style requirements.
2. Updates have been made to replace “HSD” with “HCA”.
3. Section 8 has been updated to include the Departments current mission statement.

8.308.7 NMAC

Section 9 has been updated so that the MCO retroactive enrollment is no more than 3 months, aligning the NMAC enrollment rule with program operational functionality.

8.310.14 NMAC

This new NMAC for the JUST Health Plus program will establish the rules and regulations necessary to carry out the duties of the department and its divisions under the 1115 Justice Reentry Demonstration Waiver.

I. RULE

These proposed rule changes will be contained in 8.308.6, 8.308.7, 8.308.8, and 8.310.14 NMAC. This register and the proposed rules are available on the HCA website at: <https://www.hca.nm.gov/lookingforinformation/register/> 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 Health Care Authority proposes implementing these rules effective August 1, 2026.

III. PUBLIC HEARING

A public hearing to receive testimony on these proposed rules will be held on **April 9, 2026, at 9:00 a.m., Mountain Daylight Time (MDT)**. The hearing will be held in the Large Conference Room at the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Microsoft Teams.

Join Teams Meeting

Join the meeting 4/9/26

Meeting ID: 289 569 541 021 5

Passcode: k63bX3P8

Dial in by phone

+1 505-312-4308 United States, Albuquerque

Phone conference ID: 943 248 395#

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. MDT on April 9, 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.