HEALTH CARE AUTHORITY

Michelle Lujan Grisham, Governor
Kari Armijo, Secretary
Alanna Dancis, Acting Medicaid Director

August 17, 2026

RE: Tribal Notification to Request Advice and Comments Letter 26-18: Proposed 1915(c) Home and Community-Based Services (HCBS) Medically Fragile Waiver Amendments

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 Health Care Authority's (HCA's) Tribal Notification to Request Advice and Comments process, this letter is to inform you that HCA, through the Medical Assistance Division (MAD), is accepting written comments until **5:00 p.m., Mountain Time (MT) on October 19, 2026,** regarding proposed amendments to the 1915(c) Home and Community-Based Services (HCBS) Medically Fragile Waiver (NM.0223.R07.00).

The state intends to submit the amendment to the Centers for Medicare and Medicaid Services (CMS) on October 30, 2026. The key components of proposed changes under the waiver amendments are as follows:

- Increase to rates for Occupational Therapy services and Speech-Language Pathology services due to a state fiscal year 2026 legislative general fund appropriation. The updated rates are effective July 1, 2026, and are intended to achieve rate parity for these therapy services.

Estimated Total Financial Impact
$44,471.00 is the total estimated financial impact based on the number of projected participants using these services with the new increased rates.

Tribal Impact
The HCA anticipates a positive impact to tribal members, participants, families and tribal health care providers as an increase to Speech-Language Pathology services and Occupational Therapy services rates is expected to strengthen provider participation and improve access to therapy services for Medically Fragile Waiver participants.

Tribal Advice and Comments
Tribes and tribal healthcare providers may view the proposed changes, on the HCA webpage at: https://www.hca.nm.gov/providers/written-tribal-notification-letters/. ***Notification letter 26-18.***

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

Important Dates
A public hearing to receive testimony on this proposed rule will be held on October 19, 2026, at 9:00 a.m. MT. The hearing will be held in the Large Conference Room of the Administrative Services Division (ASD), 1474 Rodeo Rd, Santa Fe, NM 87505 and via Microsoft Teams.

Join Teams Meeting
Join: https://teams.microsoft.com/meet/297032411510834?p=BNkDXlDBZDMwWC9DTC
Meeting ID: 297 032 411 510 834
Passcode: ii6mf7tN

Dial in by phone
+1 505-312-4308,,632628420# United States, Albuquerque
Phone conference ID: 632 628 420#

Written advice and comments must be received no later than 5:00 p.m. MT on October 19, 2026. Please send your advice, comments or questions to the MAD Native American Liaison, Pharon Morgan, at (505) 469-6877 or by email to pharon.morgan@hca.nm.gov.

Sincerely,



Alanna Dancis, Acting Director
Medical Assistance Division