



HEALTH CARE
AUTHORITY

Michelle Lujan Grisham, Governor
Kari Armijo, Cabinet Secretary
Dana Flannery, Medicaid Director

November 15, 2024

Daniel Tsai
Deputy Administrator and Director
Centers for Medicare & Medicaid Services
Center for Medicaid and CHIP Services
7500 Security Boulevard, Mail Stop S2-25-26
Baltimore, Maryland 21244-1850

Dear Deputy Administrator and Director:

The New Mexico Health Care Authority, Medical Assistance Division received the Centers for Medicare & Medicaid Services' (CMS) approval to amend its section 1115(a) demonstration titled, "New Mexico Turquoise Care" (Project Number 11-W-00285/6) on October 16, 2024, in accordance with section 1115(a) of the Social Security Act. The amendment is effective October 16, 2024 through December 31, 2029.

Through this approved amendment, New Mexico has expenditure authority as follows:

- To provide coverage for traditional health care practices received through Indian Health Service (IHS) facilities, facilities operated by Tribes or Tribal organizations under the Indian Self-Determination and Education Assistance Act (ISDEAA) (here called Tribal facilities), or facilities operated by urban Indian organizations under Title V of the Indian Health Care Improvement Act (IHCIA) (here called urban Indian organization facilities).
- Coverage of traditional health care practices will be available to Medicaid beneficiaries who are able to receive services delivered by or through IHS, Tribal facilities, or urban Indian organization facilities. Traditional health care practices are covered as a complement to services covered by Medicaid under existing authority.
- For administrative implementation expenditures to support provider development and implementation of the amendment, such as for accounting and billing systems; electronic health records and modifications to internal systems to accept referrals from other providers for these services; workforce development; and outreach, educations, and community engagement.
- Implementation of the amendment will be subject to the approval of the state legislature if New Mexico is required to secure non-federal share for the expenditures authorized by the amendment.

New Mexico provides the following acknowledgements and assurances to CMS:

- This approval is subject to the limitations specified in the attached expenditure authorities, Special Terms and Conditions (STCs), and any supplemental attachment defining the nature, character, and extent of federal involvement in this project.
- New Mexico may deviate from the Medicaid state plan requirements only to the extent such requirements have been identified in the expenditure authorities list as not applicable to expenditures under the amendment.
- New Mexico will adhere to the STCs and 1115 demonstration requirements pertaining to deliverables, budget neutrality, monitoring, reporting, and evaluation.

In accordance with CMS' approval and STC requirement 11.1, as a condition of receiving federal matching funds for expenditures under Expenditure Authority 12, and because some of the traditional health care practices covered under the demonstration may be considered religious or may contain elements of religious or spiritual practices, New Mexico attests to:

- Providing adequate access to secular alternatives, including but not limited to preventive services, primary care, pharmacy services, mental health and substance use disorder services, as approved in the state plan, 1115 demonstration(s), or 1915 waiver(s), and in compliance with federal laws and regulations.
- For any condition(s) addressed by and through covered traditional health care practices, ensuring beneficiaries have a genuine, independent choice to use other Medicaid- and CHIP-covered services.
- Assuring that traditional health care practices may not be used to reduce, discourage, or jeopardize a beneficiary's access to services or settings covered under the state plan, 1115 demonstration(s), or 1915 waiver(s) and New Mexico will not deny access to services or settings on the basis that the beneficiary has been offered, is currently receiving, or has previously utilized traditional health care practices.
- New Mexico will begin claiming FFP for its expenditures on traditional health care practices with this attestation to CMS, provided that all other applicable requirements for claiming federal financial participation (FFP) have been met.
- New Mexico will notify beneficiaries of their rights to file grievances, complaints, and appeals related to this attestation and take any needed actions or monitoring, consistent with federal laws and regulations regarding grievances, complaints and appeals.
- In accordance with the STCs, New Mexico will report any such grievances, complaints, and appeals to CMS in Monitoring Reports.

Please accept this letter as formal written acknowledgement of the award, acceptance of the STCs, and attestation to traditional health care practices.

We appreciate CMS' partnership to advance the objectives of New Mexico's Medicaid program and improve the health and well-being of New Mexicans. For questions concerning this acceptance, please feel free to contact New Mexico's CMS Liaison, Valerie Tapia at 505-257-8420 or Valerie.Tapia@hca.nm.gov.

Sincerely,



Dana Flannery
Medicaid Director
Medical Assistance Division

Cc: Dana Brown, State Monitoring Lead, CMS Medicaid and CHIP Operations Group
Julie Sharp, Technical Director, State Demonstrations Group
Sandra Phelps, Project Officer, State Demonstrations Group