

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-14-26  
Baltimore, Maryland 21244-1850



**Disabled and Elderly Health Programs Group**

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November 9, 2022

Nicole Comeaux, Director  
Medical Assistance Division  
Human Services Department  
1 Plaza La Prensa  
Santa Fe, NM 87507

Dear Director Comeaux:

We are writing to inform you that the Centers for Medicare & Medicaid Services (CMS) is approving New Mexico's request to amend the following 1915(c) Home and Community-Based Services (HCBS) waivers with the Emergency Preparedness and Response Appendix K in order to respond to the COVID-19 pandemic:

WAIVER TITLE	CMS AMENDMENT CONTROL NUMBER
Developmental Disabilities waiver	NM.0173.R07.03
Medically Fragile waiver	NM.0223.R06.03
Mi Via waiver	NM.0448.R03.03
Supports waiver	NM.1726.R00.05

The state's approved Appendix K is effective from January 27, 2020 to six months after the end of the federal public health emergency (PHE) for COVID-19. The amendments that the state has requested in the Appendix K are additive to those previously approved; they apply in all locations served by the individual waivers for anyone impacted by COVID-19. CMS acknowledges beginning July 1, 2022, the state is temporarily increasing Assistive Technology benefit limits from \$500 to \$750; increasing HCBS Environmental Modifications benefit limits from \$5,000 to \$6,000 every five years; and implementing various rate increases for the identified waiver services within the Appendix K.

The state has identified its intent to use money realized from section 9817 of the ARP. Approval of this action does not constitute approval of the state's spending plan. The state must have an approved spending plan in order to use the money realized from section 9817 of the ARP.

We have included the approved Appendix K pages with this correspondence. Please utilize the waiver management system for HCBS waivers for any further amendments to these waiver programs other than Appendix K.

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If you need assistance, feel free to contact Daphne Hicks of my staff at 214-767-6471 or by e-mail at [Daphne.Hicks@cms.hhs.gov](mailto:Daphne.Hicks@cms.hhs.gov) or Marge Sciulli at 410-786-0691 or by e-mail at [Margherita.Sciulli@cms.hhs.gov](mailto:Margherita.Sciulli@cms.hhs.gov).

Sincerely,

Alissa Mooney DeBoy  
Director, DEHPG

Enclosure