



Michelle Lujan Grisham, Governor
David R. Scrase, M.D., Secretary
Nicole Comeaux, J.D., M.P.H., Director

October 6, 2020

RE: Tribal Notification to Request Advice and Comments Letter 20-26: *Mi Via 1915(c) Home and Community Based Services Waiver - Removal of Native American Healers as a Specialized Service*

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 Human Services Department's (HSD) Tribal Notification to Request Advice and Comments process, this letter is to inform you that HSD, through the Medical Assistance Division (MAD), is accepting written comments until **5:00pm Mountain Time (MT) through November 6, 2020**, regarding proposed changes to the *Mi Via Waiver*.

On June 29, 2020, the Human Services Department (HSD) submitted an application to the Centers for Medicare and Medicaid Services (CMS) to renew the *Mi Via Waiver* for another (5) five-years effective October 1, 2020. On September 2, 2020 CMS issued guidance directing the state to remove Native American Healers as a covered *Mi Via* service under Specialized Services.

Currently there are 111 self-identified Native Americans receiving home and community-based services under the *Mi Via Waiver* program. Since 2015, one (1) participant has utilized the *Mi Via* Native American Healer service. Native Americans who are enrolled with a Centennial Care Managed Care Organization (MCO) may request the Native American Healer service through their MCO under the Value-Added Services benefit.

Estimated Total Financial Impact

HSD does not anticipate a financial impact related to these changes.

Tribal Impact

HSD does not anticipate an impact to the tribes.

Tribal Advice and Comments

Tribes and tribal health care providers may view the proposed changes on the HSD website at: <http://www.hsd.state.nm.us/providers/written-tribal-consultations.aspx>, Tribal Notification 20-26.

Important Dates

Written comments must be submitted by 5:00pm Mountain Time (MT) on November 6, 2020. Please send your comments to the MAD Native American Liaison, Theresa Belanger, at (505) 827-3122 or by email to Theresa.Belanger@state.nm.us. All written comments received will be posted as they are received on the HSD website at: <http://www.hsd.state.nm.us/providers/written-tribal-consultations.aspx> along with the applicable notification letter. The public posting will include the name and any contact information provided by the commenter.

Tribal Leadership may request a government-to-government consultation by November 6, 2020. This request may be made to: Theresa.Belanger@state.nm.us or by calling (505) 827-3122.

Sincerely,



Nicole Comeaux, J.D., M.P.H, Director
Medical Assistance Division

cc: