HEALTH CARE AUTHORITY

Michelle Lujan Grisham, Governor
Kari Armijo, Secretary
Kathy Slater Huff, Deputy Secretary
Niki Kozlowski, Acting Deputy Secretary
Alanna Dancis, Acting Medicaid Director

September 25, 2026

RE: Tribal Notification to Request Advice and Comments Letter 26-25: HR1 Citizenship and Non-Citizen Eligibility.

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 (HCA) Tribal Notification to Request Advice and Comments process, this letter is to inform you that HCA's Medical Assistance Division (MAD) is providing public notice on its plans to submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS) to comply with Section 71109, "Alien Medicaid Eligibility" of the Working Families Tax Cut Legislation (Public Law 119-21) requirements to non-citizens who are Legal Permanent Residents (LPRs), Cuban/Haitian entrants, Compact of Free Association (COFA) Migrants, or meet Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA) 214 requirements for lawfully present individuals who are pregnant women or children under age 21, effective October 1, 2026.

The estimated total Federal Budget Impact is $0.00 in federal funds for FFY 2027 and $0.00 in federal funds for FFY 2028, as the SPA is an administrative change to comply with federal requirements.

Tribal Impact

The HCA does not anticipate any impact for Indian Nations, Tribes, and Pueblos and their health care providers with this change.

Tribal Advice and Comments

Tribes and their healthcare providers may view the proposed changes on the HCA webpage at: https://www.hca.nm.gov/providers/written-tribal-consultations/ **26-25: HR1 Citizenship and Non-Citizen Eligibility**.

Written comments may be submitted, and Tribal Leadership may request a government-to-government consultation by **5:00 p.m. Mountain Time (MT) on October 25, 2026**. Please direct your comments and requests for consultation to the MAD Tribal Liaison, Pharon Morgan, at (505) 469-6877, or by email at: Pharon.Morgan@hca.nm.gov. All written comments received

will be posted on the Department's website at: https://www.hca.nm.gov/providers/written-tribal-consultations/ along with this notification letter. The public posting will include the name and contact information provided by the commenter.

OPPORTUNITY TO VIEW DOCUMENTS

The complete draft amendment may be found on the website at: https://www.hca.nm.gov/2026-comment-period-open/.
A written copy of these proposed documents may be requested by contacting the HCA/MAD in Santa Fe at (505) 827-1337.

Copies of all comments will be made available by HCA/MAD upon request by providing copies directly to a requestor, by making them available on the HCA/MAD website, or at a location within the county of the requestor.

Sincerely,



Alanna Dancis
Acting State Medicaid Director