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TITLE 8 SOCIAL SERVICES
CHAPTER 310 HEALTH CARE PROFESSIONAL SERVICES
PART 16 STATE FUNDED BENEFTIS

8.310.16.1 ISSUING AGENCY: New Mexico Health Care Authority (HCA).
[8.310.16.1 NMAC – N, xx/xx/xxxx]

8.310.16.2 SCOPE: The rule applies to the general public.
[8.310.16.2 NMAC – N, xx/xx/xxxx]

8.310.16.3 STATUTORY AUTHORITY: The New Mexico medicaid program and other health care programs are administered pursuant to regulations promulgated by the federal department of health and human services under Titles XI, XIX, and XXI of the Social Security Act as amended or by state statute. See Section 27-2-12 et seq. NMSA 1978.
[8.310.16.3 NMAC – N, xx/xx/xxxx]

8.310.16.4 DURATION: Permanent.
[8.310.16.4 NMAC – N, xx/xx/xxxx]

8.310.16.5 EFFECTIVE DATE: January 1, 2027, unless a later date is cited at the end of a section.
[8.310.16.5 NMAC – N, xx/xx/xxxx]

8.310.16.6 OBJECTIVE: The objective of this rule is to provide instructions for the service portion of the New Mexico medical assistance programs (MAP).
[8.310.16.6 NMAC – N, xx/xx/xxxx]

8.310.16.7 DEFINITIONS: [RESERVED]
[8.310.16.7 NMAC – N, xx/xx/xxxx]

8.310.16.8 MISSION STATEMENT: We ensure that New Mexicans attain their highest level of health by providing whole-person, cost-effective, accessible, and high-quality health care and safety-net services.
[8.310.16.8 NMAC – N, xx/xx/xxxx]

8.310.16.9 STATE FUNDED PROGRAM DESCRIPTION: [RESERVED]
[8.310.16.9 NMAC – N, xx/xx/xxxx]

8.310.16.10 ABORTION SERVICES: New Mexico Health Care Authority, Medical Assistance Division (HCA/MAD) covers medication assisted abortion services via face to face or through a telehealth encounter and surgical abortion.

A. Prior to performing abortion services providers must include in the MAP eligible recipient medical record standard medical informed consent, counseling related to nature of procedure, risks and benefits, available alternatives and the right to refuse or delay treatment and referral information for abortion services. A pregnant minor 13 years old and older can provide informed medical consent for abortion care without needing parental permission.

B. Psychological services: MAD covers behavioral health services for a pregnant MAP eligible recipient.

C. Oral medications: Oral medications approved by the food and drug administration (FDA) have been determined a benefit by MAD for pregnancy termination. MAD will cover oral medications when administered by a provider acting within the scope of their practice board and licensure.
[8.310.16.10 NMAC – N, xx/xx/xxxx]