



HEALTH CARE
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MI VIA WAIVER RENEWAL 2025

NEW MEXICO'S 1915(C) SELF-DIRECTED HOME AND COMMUNITY-BASED SERVICES WAIVER
DEVELOPMENTAL DISABILITY SUPPORTS DIVISION (DDSD)
MEDICAL ASSISTANCE DIVISION (MAD)

INVESTING FOR TOMORROW, DELIVERING TODAY.



BEFORE WE START...

On behalf of all colleagues at the Health Care Authority, we humbly acknowledge we are on the unceded ancestral lands of the original peoples of the Pueblo, Apache, and Diné past, present, and future.

With gratitude we pay our respects to the land, the people and the communities that contribute to what today is known as the State of New Mexico.



Evening drive through Corrales, NM in October 2021.

By HCA Employee, Marisa Vigil



HEALTH CARE
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Investing for tomorrow, delivering today.

MISSION

We ensure New Mexicans attain their highest level of health by providing whole-person, cost-effective, accessible, and high-quality health care and safety-net services.



HEALTH CARE
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VISION

Every New Mexican has access to affordable health care coverage through a coordinated and seamless health care system.

GOALS



LEVERAGE purchasing power and partnerships to create innovative policies and models of comprehensive health care coverage that improve the health and well-being of New Mexicans and the workforce.



BUILD the best team in state government by supporting employees' continuous growth and wellness.



ACHIEVE health equity by addressing poverty, discrimination, and lack of resources, building a New Mexico where everyone thrives.



IMPLEMENT innovative technology and data-driven decision-making to provide unparalleled, convenient access to services and information.

DEVELOPMENTAL DISABILITIES SUPPORTS DIVISION (DDSD) IS NOW PART OF THE HEALTH CARE AUTHORITY (HCA)

As of July 1, 2024, DDSD has transferred from the Department of Health(DOH) to the Health Care Authority (HCA).

This transition will not affect Mi Via Services



DEVELOPMENTAL DISABILITIES SUPPORTS DIVISION (DDSD) MISSION STATEMENT

To serve those with intellectual and developmental disabilities by providing a comprehensive system of person-centered community supports so that individuals live the lives they prefer, where they are respected, empowered, and free from abuse, neglect, and exploitation.

DDSD Guiding Principals

To Act With:

- Accountability
- Collaboration
- Respect
- Transparency

To Be:

- Person-Centered
- Proactive
- Innovative
- Inclusive



OBJECTIVES

- Receive an overview of the Mi Via Waiver
- Review renewal timelines & public input opportunities
- Highlight the Centers for Medicare and Medicaid Services (CMS) Waiver appendices & Federal Regulations
- Review waiver renewal topical items
- Hear your recommendations and feedback



WHAT IS MI VIA?

- New Mexico's *self-directed* home and community-based services (HCBS) waiver
- A community-based alternative to institutional care for people with intellectual and/or developmental disabilities (IDD) or medically fragile conditions with IDD
- Facilitates greater participant choice, direction, and control over services and supports



WHAT IS SELF-DIRECTION?

Self-direction allows the participant to:

- Have greater control
- Have more freedom
- Have a meaningful life in the community
- Choose when, where, and how services will be provided
- Choose who they want to provide the services
- Choose who will assist them in planning and managing their services and supports
- Provides a tool that leads to self-determination



MI VIA WAIVER ADMINISTRATION

Administrative Agency



Medical Assistance Division
(MAD)

Operating Agency



Developmental Disabilities
Supports Division
(DDSD)

Health Care Authority



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MI VIA WAIVER PUBLIC INPUT OPPORTUNITIES

The Mi Via Advisory Committee – 4/25/2024 and 7/25/2024

Consultant Input meetings – 4/9/2024 and 6/11/2024 and 8/13/2024

Statewide outreach meetings (Public Town Halls) – 8/5/2024 – 8/16/2024

The Public Comment and Public Hearing Process

Public Comment – 7/17/2024 – 8/23/2024

Public Hearing – TBD

*Submission to CMS – 6/17/2025 for CMS Preliminary review



MI VIA WAIVER PUBLIC INPUT OPPORTUNITIES

Statewide outreach meetings (public Town Halls)

Monday, August 5th – Albuquerque

5300 Homestead Road NE, Albuquerque, NM 87110
Hozho Room 109 (Training Room)
9:00 am to 11:00 am

Wednesday, August 14th – Roswell

DDSD Southeast Regional Office
726 South Sunset, Suite B, Roswell, NM 88203
3:00 pm to 5:00 pm

Tuesday, August 6th – Santa Fe

Harold L. Runnels Building (Auditorium)
1190 S St. Francis Dr, Santa Fe, NM 87505
1:00 pm to 3:00 pm

Thursday, August 15th – Las Cruces

CYFD Protective Services
2805 Roadrunner Pkwy, Las Cruces, NM 88011
11:00 am to 1:00 pm

Friday, August 9th – Farmington

Sycamore Park Community Center
1051 Sycamore Street, Farmington, NM 87401
11:00 am to 1:00 pm



MI VIA WAIVER PUBLIC INPUT OPPORTUNITIES

Statewide outreach meetings (public Town Halls)

Virtual Links:

Monday, August 12th – Taos

1:00PM – 3:00PM – [Join the meeting now](#)

Friday, August 16th – Albuquerque

9:00AM - 10:00AM – [Join the meeting now](#)

Friday, August 16th – Gallup

1:00PM - 2:00PM – [Join the meeting now](#)

Friday, August 16th – Santa Fe

3:00PM - 4:00PM – [Join the meeting now](#)



RENEWAL TIMELINES

- Centers for Medicare & Medicaid Services (CMS) – approved Mi Via Waiver expires 9/30/2025
- Application submission date: 6/17/2025 for CMS Preliminary review
- Implementation date: 10/1/2025
- Waivers are approved for 5-year periods
 - Amendments to an approved waiver may be submitted during the 5-year renewal period



GUIDELINES FOR MI VIA WAIVER RENEWAL WORK

MI VIA WAIVER SERVICES SHOULD BE PROVIDED IN THE MOST INTEGRATED SETTINGS AND SHOULD PROMOTE:

- Person centered planning
- Choice, self-determination and self-direction
- Independence and individuals living the life they prefer in the community
- Opportunities for competitive employment
- Opportunities for skill building
- Opportunities to decrease dependence on care giving
- Development of natural supports



GUIDELINES FOR MI VIA WAIVER RENEWAL WORK

IN OPERATING A SYSTEM OF MI VIA WAIVER SERVICES, DDSD IS COMMITTED TO A SERVICE SYSTEM WHICH:

- Promotes self-direction
- Provides full inclusion and access to the community
- Allows for dignity of risk, or the right to take risks when engaging in life experiences along with the right to make informed choices
- Follows national best practices
- Is streamlined and simplified
- Ensures continuous quality improvement
- Is sustainable
- Promotes an equitable distribution of resources



MI VIA WAIVER APPLICATION & APPENDICES

Appendix A: Waiver Administration and Operation

Appendix B: Participant Access and Eligibility

Appendix C: Participant Services

Appendix D: Participant Centered Planning and Service Delivery

Appendix E: Participant Direction of Services

Appendix F: Participant Rights

Appendix G: Participant Safeguards

Appendix H: Quality Improvement Strategy

Appendix I: Financial Accountability

Appendix J : Cost Neutrality Demonstration



MI VIA RULES: NM ADMINISTRATIVE CODE (NMAC)

- The NMAC for the Mi Via Waiver program will be updated to reflect changes made in the waiver renewal process.
- There will be a public comment and public hearing process for the updates and/or revisions to the NMAC.
- The final, revised NMAC will be published on the HCA website.



WAIVER RENEWAL TOPICAL ITEMS

- Mi Via Training Compliance
- Abuse Neglect and Exploitation
- Rate Increases
- *New* Employer of Record (EOR) Waiver Service
- Employment Outside the Individual Budget Allotment
- *Revised* Legally Responsible Individual (LRI) allowances
- Individual Budget Allotment (IBA) Increase
- Limitations on Respite and Community Direct Support services



MI VIA TRAINING COMPLIANCE

- New policy establishes monitoring, reporting, and remediation practices related to Mi Via Waiver Consultant Agencies.
- Established to promote compliance with training requirements as outlined in the New Mexico Mi Via Waiver Service Standards and in accordance with the approved Centers for Medicare and Medicaid Services (CMS) performance measure reporting and remediation requirements for Home and Community-Based Services (HCBS).
- Expectation is that all applicable entities will achieve and maintain 100% compliance with training requirements. A training compliance rate below 86% will trigger a remediation response from the Training and Knowledge Management Unit. The minimum training compliance rate required by the CMS is 86%.
- **This will be incorporated into the waiver application and appendix G*



ABUSE, NEGLECT, AND EXPLOITATION (ANE)

- DDSD is committed to ensuring health and safety of the individuals served in our programs. Any incident of abuse, neglect, or exploitation (ANE) is unacceptable.
- People with intellectual and developmental disabilities have significantly higher risk of ANE.
- ANE prevention strategies are a part of our waiver programs. The following will be written into the waiver application:
 - DDSD Wellness Home Visits: A person receiving MV Waiver services is subject to mandatory in-home visitation by the State of NM to ensure the health and safety of the individual. All Service Providers must comply to facilitate these visits.
 - Monitoring requirements for service providers in all environments to ensure participants are safe and free of abuse, neglect, or exploitation.
 - Shared responsibilities of everyone to assess and identify potential ANE risk factors of all waiver recipients.



MI VIA WAIVER PROPOSED RATE INCREASES

Services with new rates:

Behavior Support Consultation:

- Current: \$12.24 - \$20.65, Proposed: \$12.89 - \$21.75

Community Direct Support:

- Current: \$1.88 - \$15.48, Proposed : \$1.98 - \$16.30

Customized Community Group Supports:

- Current: \$1.36 - \$8.82, Proposed : \$1.43 - \$9.29

In Home Living Supports:

- Current: \$25.04 - \$150.26, Proposed : \$26.33 - \$158.25



MI VIA WAIVER PROPOSED RATE INCREASES

Services with new rates:

Homemaker/Direct Supports:

- Current: \$7.50 - \$14.60, Proposed : \$7.90 - \$15.38

Occupational Therapy:

- Current: \$12.74 - \$23.71, Proposed : \$13.42 - \$24.97

Physical Therapy:

- Current: \$13.51 - \$24.22, Proposed : \$14.22 - \$25.51

Speech/Language Pathology:

- Current: \$16.06 - \$25.22, Proposed : \$16.91 - \$25.51



EMPLOYER OF RECORD (EOR) WAIVER SERVICE

- Employer of Record (EOR) services will no longer be a volunteer position but offered as a waiver service.
- Mi Via participants can still be their own EOR, if they are able.
- Mi Via participants will be required to select an EOR, if they are not their own EOR, from a list of DDS contracted providers.
- Responsibilities of the EOR remain the same.
- Service Standards have been drafted to cover responsibilities, conflict of interest issues, provider qualifications, required trainings, billing, and more.
- The recommended pay rate for the EOR services is \$6.31 - \$9.29.



EMPLOYMENT OUTSIDE OF THE BUDGET

- New Mexico is an Employment First State. This funding change is intended to encourage participants to select and utilize employment supports in order to obtain competitive employment.
- By offering Employment Supports outside of the IBA, participants are able to use their full IBA amount for other services types they may need *before* they would consider employment supports.
- This will allow Mi Via Participants the opportunity to seek and obtain employment, without it impacting their budget.



NEW MI VIA SERVICE LIMITATIONS

Respite: Respite is a flexible family support service. The primary purpose is to provide *intermittent* support to participants and give the unpaid primary caregiver some relief on a short-term basis.

- The new limit for Respite Services will be 14 days or 336 hours, during the Service and Support Plan (SSP) budget term.

Community Direct Support: Community Direct Support Services provide service to assist the participant develop, maintain and nurture community Connections and access social recreational and leisure activities within the communities. Community Direct Support Services promote the development of valued social relationships and build connections within local communities.

- The new limit for Community Direct Support services will be 1820 hours during the Service and Support Plan (SSP) budget term.



NEW LEGALLY RESPONSIBLE INDIVIDUAL (LRI)

- When providing notification to the Developmental Disabilities Supports Division (DDSD), LRI's must describe the extraordinary care circumstances that require services to be provided by an LRI.
- The LRI Form must provide a signature that attests to understanding that more than forty (40) hours of services in a seven (7)-day period may not be provided as an LRI due to the existing duty of care responsibilities.

New criteria:

- The LRI Form is now required *annually* for all LRI's.
- Relatives can continue to be paid supports to their loved ones



INDIVIDUAL BUDGET ALLOTMENT (IBA) INCREASE

- Over the last few years some Mi Via rates have been increased without increasing the IBA.
- We have rolled out the increased IBA amounts. As of July 1, 2024, the increased IBA amounts are in effect for all Mi Via participants.



INDIVIDUAL BUDGET ALLOTMENT (IBA) INCREASE

Budget Levels	Current	NEW effective July 1 st , 2024
0-17	\$23,443	\$24,690.17
18-20	\$54,589	\$57,493.13
18-20 with IHLS	\$68,589	\$80,468.61
>21	\$72,710	\$85,767.35



FEEDBACK, RECOMMENDATIONS, QUESTIONS

Your input is valuable!

Are there changes you would like to see in the waiver?

Areas for improvement?

Service Standards Feedback can be submitted at the following link:

<https://app.smartsheet.com/b/form/a4832f2de8804b3eb4b22118821a3bf1>



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RESOURCES

- **Healthcare Authority**

[Mi Via - New Mexico Human Services Department \(nm.gov\)](https://nm.gov/mi-via)

- **Service Standards**

nmhealth.org/publication/view/policy/3380/

- **New Mexico Administrative Code**

[8.314.5 NMAC \(state.nm.us\)](https://state.nm.us/8.314.5)





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THANK YOU!



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