

## NOTICE OF PUBLIC HEARING

The New Mexico Department of Health will hold a public hearing on the adoption of a new rule, 7.8.4 NMAC, "General Requirements for Boarding Homes". The hearing will be held on March 24, 2020, 9:00 a.m. in the auditorium of the Harold Runnels Building, located at 1190 St. Francis Drive in Santa Fe, New Mexico. This hearing will be conducted to receive public comment regarding the proposed adoption of a new rule concerning the licensing requirements for boarding homes.

The General Requirements for Boarding Homes apply to public or private boarding homes which come within the statutory definition of "health facilities" as set out in Subsection F of Section 24.1.2 NMSA 1978 public health act and which are required to be licensed by the state licensing authority. This rule applies to all boarding home facilities which receive lodging for compensation and are operated to provide assistance with one or more instrumental activities of daily living to residents or assistance with the coordination of community services and who do not need the level of services and supervision provided in a skilled nursing facility, intermediate care facility, assisted living facility, nor a general or special hospital or other institution, nor does it include boarding homes under the control of an institution of higher learning. These requirements shall not include any facility which is otherwise licensed and regulated by the department, or any hotel or other landlord-tenant relationship or homeless shelter.

The legal authority authorizing the proposed rule and the adoption of the rule by the Department is at Subsection E of Section 9-7-6, Subsections F and J of Section 24-1-2 and 24-1-3, respectively, and Section 24-1-5 NMSA 1978.

A free copy of the full text of the proposed rule can be obtained from the Department's website at <https://nmhealth.org/publication/regulation/>

Any interested member of the public may attend the hearing and offer public comments on the proposed rule during the hearing. Written public comments may also be submitted to the mailing address or email address shown below prior to the date of the hearing. Please submit any written comments regarding the proposed rule to the attention of:

Christopher Burmeister  
Division Director, Health Improvement  
New Mexico Department of Health  
2040 S. Pacheco,  
Santa Fe, NM 87505  
[Christopher.Burmeis@state.nm.us](mailto:Christopher.Burmeis@state.nm.us)  
505-476-9074

All written comments must be received by 5 pm MST on March 17, 2020. All written comments will be published on the agency website at <https://nmhealth.org/publication/regulation/> within 3 days of receipt, and will be available at the New Mexico Department of Health Office of General Counsel for public inspection.

If you are an individual with a disability who is in need of special assistance or accommodations to attend or participate in the hearing, please contact Sheila Apodaca by telephone at (505) 827-2997. The Department requests at least ten (10) days advance notice to provide requested special accommodations