

NOTICE OF PUBLIC HEARING

The New Mexico Department of Health will hold a public hearing on the proposed amendment of rule, 7.8.2 NMAC, "Assisted Living Facilities for Adults." The public hearing will be held on September 25, 2020 at 9:30 am via Cisco Webex online, via telephone, and, comments will be received via email through the day of the hearing until 5:00 pm.

The hearing is being held via internet, email and telephonic means due to the concerns surrounding Coronavirus and in accord with Governor Michelle Lujan Grisham's Executive Order 2020-004, Declaration of a Public Health Emergency, and any subsequent executive orders, and the March 12, 2020 Public Health Emergency Order to Limit Mass Gatherings Due to COVID-19. This hearing will be conducted to receive public comment regarding the proposed amendment of the current rule concerning the services for residents at facilities operated for the maintenance or care of two (2) or more adults who need or desire assistance with one (1) or more activities of daily living excluding the residence of an individual who maintains or cares for a maximum of two (2) relatives. All facilities licensed as assisted living facilities pursuant to Subsection A of Section 24-1-5 NMSA 1978, are subject to all provisions of these regulations.

The hearing will be conducted to receive public comments regarding the proposed amendment of the rule, 7.8.2 NMAC, including the following rule parts:

Amended Subsection B of 7.8.2.16 NMAC-Staff Qualifications: change to Subsection B to lower the age of employment to provide direct care to residents to sixteen (16) years of age.

The legal authority authorizing the proposed amendment of the rule by the Department is at Subsection E of Section 9-7-6, Subsection F of Section 24-1-2, Subsection J of Section 24-1-3 and Subsection B of 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. To access the hearing by telephone: please call 1-408-418-9388. Your telephone comments will be recorded. To access the hearing via internet: please go to [Webex.com](https://www.webex.com); click the "Join" button; click the "Join a meeting" button; enter the following meeting number and password where indicated on screen-Meeting number (access code): 146 139 4473 #, Meeting password: eKBKTJac843; click the "OK" button. You may also provide comment via Chat during the live streaming.

Written public comments may also be submitted to the mailing address shown below. 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
505-476-9074

Mailed written comments must be received by 5 pm MST on September 24, 2020. Written comments may also be submitted to the email address shown above through 5:00 pm MST on the date of the hearing. 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.