



STATE OF NEW MEXICO  
HUMAN SERVICES DEPARTMENT  
**HUMAN SERVICES REGISTER**

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**I. DEPARTMENT**

HUMAN SERVICES DEPARTMENT

**II. SUBJECT**

ANNUAL ADJUSTMENTS TO INCOME LIMITS

**III. PROGRAMS AFFECTED**

NEW MEXICO WORKS (NMW)  
CASH ASSISTANCE PROGRAM  
SUPPORT SERVICES PROGRAM  
EDUCATION WORKS PROGRAM  
GENERAL ASSISTANCE PROGRAMS

**IV. ACTION**

PROPOSED AMENDMENTS

**V. BACKGROUND**

Annual adjustments to the income limits found in 8.102.500 NMAC and 8.106.500 NMAC: Each year the Department is required to make changes to the income and resource eligibility standards and the deduction amounts available to otherwise eligible households. These amounts are determined by the United States Department of Agriculture (USDA) and Food and Nutrition Services (FNS). The Department received notification of the adjusted amounts on July 24, 2020 and made the adjustments effective for benefit month October 2020 for Federal Fiscal Year (FFY) 2021 to comply with federal law and regulations.

**Concise Explanatory Statement:**

Regulations issued pursuant to the act are contained in 45 CFR Parts 200-299. Administration of the Human Services Department (HSD), including its authority to promulgate regulations, is governed by Chapter 9, Article 8, NMSA 1978 (Repl. 1983). The Department promulgated these rules to adjust the annual income limits as an emergency rule effective October 1, 2020 which did not permanently amend or repeal the existing rule. This rule change will remain in effect until a permanent rule takes effect under the normal rule making process.

## VI. PUBLIC HEARING

A public hearing to receive public comment on this proposed rule, pursuant to Section 14-4-5.6 NMSA 1978, will be held on **Friday, January 29, 2021 from 9:00am-10:00am**. The hearing will be held virtually through GoTo Meeting at this link: <https://global.gotomeeting.com/join/788310221>.

If you prefer to join via phone you may call [+1 \(872\) 240-3311](tel:+18722403311), Access Code: 788-310-221. You may provide written comment during the scheduled public hearing by dropping it off at the HSD Administrative Services Division (ASD) conference room, 1474 Rodeo Road, Santa Fe, NM 87505 ; this drop off site will be for written comment only. The conference room is located on the first floor in the ASD Rodeo Building.

If you would like to provide verbal public comment during the scheduled public hearing, you may contact the Income Support Division (ISD), P.O. Box 2348, Santa Fe, NM 87504-2348, or by calling 505-827-7254 to be placed on a list. You may also join the public hearing during the scheduled time at the options above. This register and proposed regulations are also available on the Human Services Department website at: <http://www.hsd.state.nm.us/LookingForInformation/income-support-division-registers.aspx>. If you do not have Internet access, a copy of the proposed regulations may be requested by contacting the Income Support Division, P.O. Box 2348, Santa Fe, New Mexico 87504-2348 or by calling 505-827-7250.

If you are a person with a disability and you require this information in an alternative format, or you require a special accommodation to participate in any HSD public hearing, program, or service, please contact the American Disabilities Act Coordinator, at 505-827-6201 or through the New Mexico Relay system, toll free at #711. The Department requests at least a 10-day advance notice to provide requested alternative formats and special accommodations.

Individuals who do not wish to attend the hearing may submit written or recorded comments. Written or recorded comments must be received by 5:00 p.m. on the date of the hearing, **Friday, January 29, 2021**. Please send comments to:

Human Services Department  
P.O. Box 2348  
Santa Fe, New Mexico 87504-2348

You may send comments electronically to: [HSD-isdrules@state.nm.us](mailto:HSD-isdrules@state.nm.us)

## VII. PUBLICATION DATE:

December 29, 2020

## VIII. PUBLICATION

Publication of these proposed amendments approved on 12/17/2020  
by:

DocuSigned by:  
*Angela Medrano*

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DAVID R. SCRASE, M.D., SECRETARY  
HUMAN SERVICES DEPARTMENT  
Angela Medrano, Deputy Cabinet Secretary  
Signing electronically on behalf of D.S.