

State of New Mexico



Child Support Enforcement Division

Parental Responsibility Act (NMSA 1978 §40-5A) Annual Report (November 1, 2020 – October 31, 2021)

To
Governor Michelle Lujan Grisham
and
The New Mexico State Legislature

From
David R. Scrase, M.D. Cabinet Secretary

December 1, 2021

THE PARENTAL RESPONSIBILITY ACT

Effective July 1, 1995, the Parental Responsibility Act (PRA) (NMSA 1978 §40-5A) was enacted. The intent of the PRA is to require parents to eliminate child support arrearages in order to be issued, maintain or renew a license. The PRA states that, upon receiving appropriate notice, a parent will comply with subpoenas and warrants relating to child support and paternity. Under the PRA due process protections for the parent are outlined and require the board denying the application or renewal of the license to provide written notice of the grounds for the denial and the right to a hearing. Similar rules apply to suspension and revocation of licenses.¹

The PRA is intended to reduce the number of children living at or below poverty level and the financial obligation that falls to the state when parents do not provide for their children. When parents pay their child support the impact is widespread. The obvious impact is providing financial stability for the children and custodial parents, thereby reducing spending on public assistance programs. *However, studies have also shown that the collection of child support has a positive effect on the family relationships, involvement by the noncustodial parent in the child's life, the child's academic achievements and cognitive development in young children.*

There are currently 63 State entities that issue licenses as defined by the PRA. Prior to the beginning of the pandemic, the Child Support Enforcement Division (CSED) had provided personal outreach to a few agencies, including Department of Public Safety and Department of Health Medical Cannabis program. We have also been working on updating the Memorandum of Agreements with the various agencies to re-establish the requirements of the Statutes and provide current technical assistance and contact information to those agencies.

In 2020 CSED implemented the Supporting, Training, and Employing Parents up! (STEPup!) program, which benefits those non-custodial parents (NCPs) whose licenses have been or are in jeopardy of being suspended due to child support delinquency. CSED is referring the NCPs to the Department of Workforce Solution (DWS) to assist them with job development and job opportunities with the goal of getting employment and on wage withholding for more consistent payments. By complying with the referral to the STEPup! program, the NCPs are provided a certificate of compliance to get their license re-issued or stop the license from being suspended by the licensing agency, often times instead of a lump sum payment.

A requirement of the Human Services Department (HSD) in the PRA (NMSA 1978 §40-5A-13) is annual reporting to the Governor and the Legislature by December 1st of each year to report on the progress of child support enforcement measures. These measures include: 1) the number of delinquent obligors certified by the department; 2) the number of obligors who also were licensees or applicants subject to the provisions of the Parental Responsibility Act; 3) the number of licenses suspended or revoked by each board and the number of new licenses and renewals that were delayed or denied by each board; 4) the number of licenses and renewals that were granted following an applicant's compliance with a judgment and order for support; and 5) the cost incurred for the year in the enforcement of the PRA. The following information provides the data for those measures for the reporting period of November 1, 2020 to October 31, 2021.

¹ § 40-5A-6 (2015).

1. The number of monthly delinquent obligors certified by the department is noted in the following table:

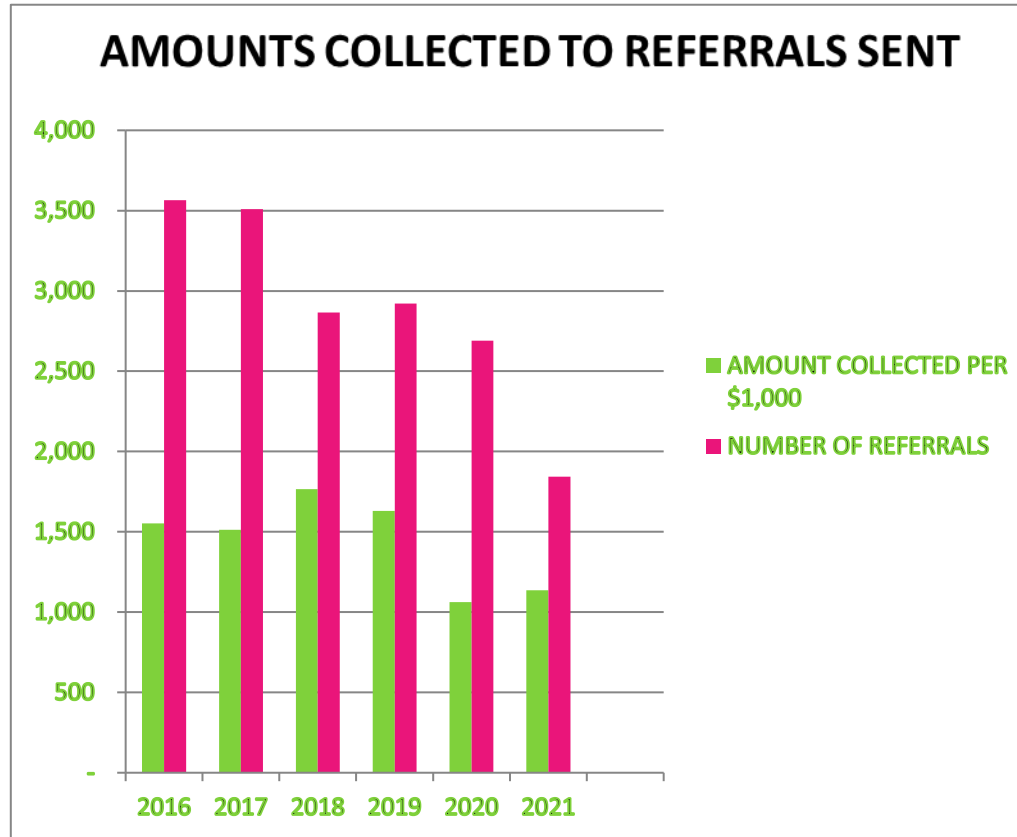
2020		2021		2021	
November	13,491	January	13,877	June	13,011
December	13,727	February	13,863	July	13,157
		March	13,828	August	13,085
		April	13,300	September	13,181
		May	12,975	October	13,187

2. The number of obligors who also were licensees or applicants subject to the provisions of the PRA: **173,194**
3. The number of licenses that were suspended or revoked by each board, and the number of new licenses and renewals that were delayed or denied by each board: **7,588**
4. The number of licenses and renewals that were granted following an applicant's compliance with a judgment and order for support: **918**
5. The number of administrative hearings conducted by the licensing entities: **22**
6. The cost incurred by the licensing agencies in the enforcement of the PRA: **\$29,862.95**

SUMMARY OF EFFECTIVENESS

The HSD Child Support Enforcement Division (CSED) has collected lump-sum payments for the past year of \$1,136,980.91. This is an increase in lump-sum payments from 2020 of \$1,062,450.74. CSED provided to the licensing entities monthly an average of 13,491 delinquent obligors for purposes of matching with licensees or applicants. CSED issued 6,238 Certificates of Compliance (CoCs) for the current reporting period. The itemization of the amounts collected by CSED is noted in Table #1.

Currently the licensing entities report to CSED both on a monthly and annual basis on the work they have performed to be in compliance with the PRA. Over the last year, processes have continued to be streamlined to eliminate duplicative efforts and to make reporting faster and easier for the licensing entities. The work of the licensing entities for the reporting period from November 1, 2020, to October 31, 2021, is reflected in Table #2.



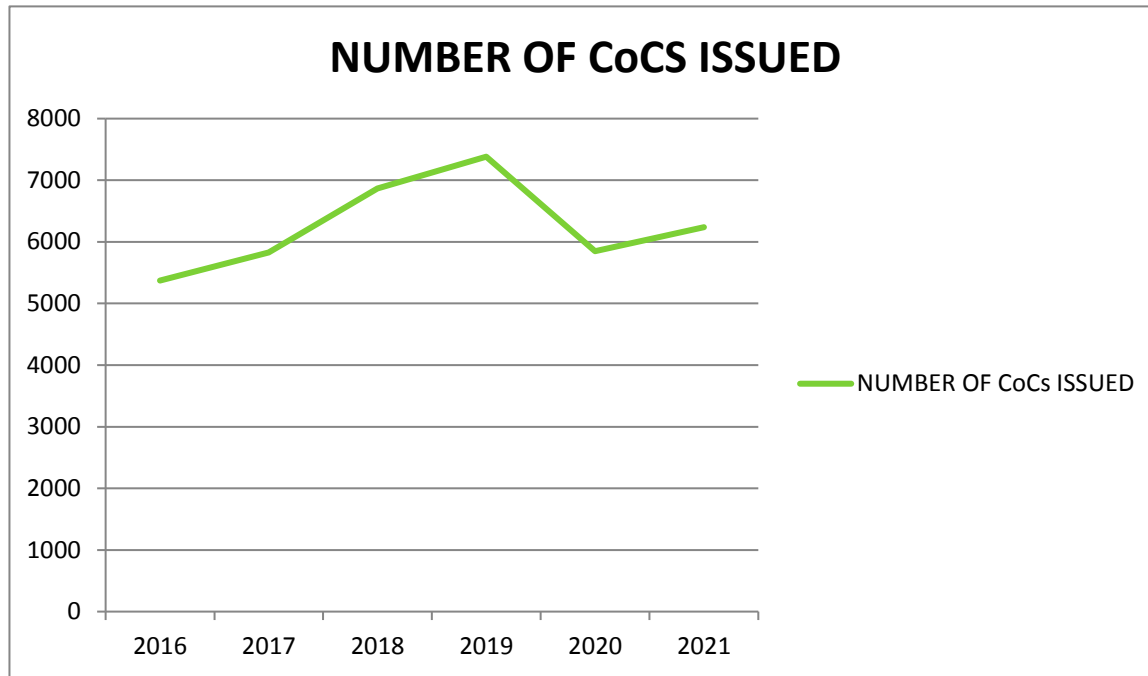


Table #1

Regulatory Organization	CSED Total Collections for Reporting Period November 1, 2020 - October 31, 2021
Taxation and Revenue Department - MVD	\$1,035,839.76
Regulation and Licensing Department	
Alcohol and Gaming Division	\$4,542.89
Construction Industries Division	\$4,578.78
Manufactured Housing Division	\$0.00
Securities Division	\$350.00

Accountancy	\$0.00
Acupuncture and Oriental Medicine	\$0.00
Athletic Commission	\$0.00
Athletic Trainers	\$0.00
Barbers and Cosmetologist	\$3,789.00
Board of Naprapathic Practice (with NM Medical Board)	\$0.00
Body Art Practitioners	\$200.00
Chiropractic Examiners	\$0.00
Counseling and Therapy Practice	\$0.00
Dental Health	\$0.00
Funeral Services Board	\$0.00
Interior Design	\$0.00
Landscape Architects	\$0.00
Massage Therapy	\$0.00
Nursing Home Administrators	\$0.00
Nutrition and Dietetics	\$0.00
Occupational Therapy	\$0.00
Optometry	\$0.00
Osteopathic Medicine (with NM Medical Board)	\$0.00
Pharmacy	\$0.00
Physical Therapist	\$0.00
Podiatry	\$0.00
Private Investigations	\$725.00
Psychologist Examiners	\$0.00
Real Estate Appraisers	\$0.00
Real Estate Commission	\$8,866.67
Respiratory Care	\$0.00
Signed Language Interpreting Practices	\$0.00
Social Work	\$0.00
Speech-Language Pathology Audiology & Hearing Aid Dispensing Practices	\$0.00
Department of Health	

Scientific Laboratory Division	\$0.00
Emergency Medical Services Bureau	\$0.00
Maternal & Child Health Bureau	\$0.00
Medical Cannabis Program	\$208.33
Department of Public Safety	\$0.00
Department of Transportation	
Traffic Safety Bureau	\$0.00
Energy, Minerals and Natural Resources Dept.	\$0.00
Department of Game and Fish	\$72,151.96
Environment Department	
Solid Waste Bureau	\$0.00
Petroleum Storage Tank Bureau	\$0.00
Medical Imaging and Radiation Therapy Program	\$0.00
Surface Water Quality Bureau	\$0.00
Drinking Water Bureau	\$0.00
Public Education Department	\$0.00
Department of Agriculture	\$0.00
Board of Examiners for Architects	\$0.00
State of NM Medical Board	\$100.00
Board of Nursing	\$4,781.02
Commission for the Blind	\$0.00
Board of Veterinary Medicine	\$0.00
Board of Licensure for Professional Engineers and Surveyors	\$0.00
Racing Commission	\$0.00
Office of Superintendent of Insurance	\$587.50
Public Regulation Commission	
Motor Transportation Division	\$0.00
Supreme Court	
State of NM Supreme Court Bar Examiners	\$0.00
State of NM Supreme Court Disciplinary Board	\$260.00
State of NM Certified Court Reporter Board	\$0.00
Total Amount Collected	\$1,136,980.91

Table #2

	Number of Obligor Subject to PRA	Number of Suspended Licenses	Number of Revoked Licenses	Number of Delayed New Licenses	Number of Denied New Licenses	Number of Delayed Renewals	Number of Denied Renewals	Number of Licenses Granted after Obligor Compliance	Number of Renewals Granted after Obligor Compliance	Number of Hearings Held	Cost Incurred for Implementation & Enforcement of PRA
Board of Examiners for Architects	0	0	0	0	0	0	0	0	0	0	0
Board of Licensure for Professional Engineers and Surveyors	9538	0	0	0	0	0	0	0	0	0	0
Board of Nursing	25	0	4	0	0	0	0	0	3	0	0
Board of Veterinary Medicine	0	0	0	0	0	0	0	0	0	0	0
Commission for the Blind	176	0	0	0	0	0	0	0	0	0	0
Department of Agriculture	11	5	0	0	0	0	0	1	0	0	\$2,900.00
Department of Game & Fish	1000	826	0	0	0	0	0	0	0	0	\$25,000.00
Department of Health											
Scientific Laboratory Division	158386	0	0	0	0	0	0	0	0	0	0
Emergency Medical Services Bureau	UNK	0	0	0	0	0	0	0	0	0	0
Maternal & Child Health Bureau	0	0	0	0	0	0	0	0	0	0	0
Medical Cannabis Program	NR										

Department of Public Safety											
Law Enforcement Academy	NR										
Concealed Carrying Unit	NR										
Department of Transportation	0	0	0	0	0	0	0	0	0	0	0
Energy, Minerals & Natural Resource Department											
Mining and Minerals Division	0	0	0	0	0	0	0	0	0	0	0
Environment Department											
Solid Waste Bureau	19	0	0	0	0	0	0	0	0	0	0
Petroleum Storage Tank Bureau	0	0	0	0	0	0	0	0	0	0	\$600.00
Medical Imaging and Radiation Therapy Program	0	0	0	0	0	0	0	0	0	0	\$264.00
Drinking Water Bureau	28	28	0	0	0	28	0	0	0	0	0
Medical Board											
Board of Naprapathic Practice	NR										
Board of Osteopathic Medical Examiners 07/01/2021 – 10/31/2021	NR										
Office of the Superintendent of Insurance	61	0	2	0	0	0	0	0	0	6	0

Public Education Department	0	0	0	0	0	0	0	0	0	0	0
Public Regulation Commission											
Motor Transportation Division	0	0	0	0	0	0	0	0	0	0	0
Racing Commission	0	0	0	0	0	0	0	0	0	0	0
Regulation & Licensing Department											
DIVISIONS:											
Alcohol Beverage Control Division	178	0	0	33	0	101	0	16	88	0	\$210.67
Construction Industries Division	NR										
Manufactured Housing Division	UNK										
Securities Division	0	0	0	0	0	0	0	0	0	0	
BOARDS & COMMISSIONS											
Accountancy	0	0	0	0	0	0	0	0	0	0	0
Acupuncture and Oriental Medicine	1	0	0	0	0	0	0	0	0	0	N/A
Athletic Commission	3	0	1	0	0	0	0	0	0	0	N/A
Athletic Trainers	0	0	0	0	0	0	0	0	0	0	N/A
Barbers and Cosmetologist	33	12	0	0	0	0	0	10	0	0	N/A
Body Art Practitioners	7	0	0	0	0	0	0	4	0	0	N/A

Chiropractic Examiners	0	0	0	0	0	0	0	0	0	0	0	0
Counseling and Therapy Practice	1	0	0	0	0	0	0	0	1	0	0	N/A
Dental Health	7	0	1	0	0	0	0	0	0	0	0	N/A
Funeral Services Board	0	0	0	0	0	0	0	0	0	0	0	0
Interior Design	0	0	0	0	0	0	0	0	0	0	0	0
Landscape Architects	0	0	0	0	0	0	0	0	0	0	0	0
Massage Therapy	7	0	2	0	0	0	0	0	0	0	0	N/A
Nursing Home Administrators	1	0	0	0	0	0	0	0	0	0	0	N/A
Nutrition and Dietetics	0	0	0	0	0	0	0	0	0	0	0	0
Occupational Therapy	0	0	0	0	0	0	0	0	0	0	0	0
Optometry	0	0	0	0	0	0	0	0	0	0	0	0
Osteopathic Medicine 11/01/2020 – 06/30/2021	0	0	0	0	0	0	0	0	0	0	0	0
Pharmacy	21	0	0	0	0	0	0	0	0	3	5	\$535.28
Physical Therapist	1	0	0	0	0	0	0	0	0	0	0	N/A
Podiatry	0	0	0	0	0	0	0	0	0	0	0	0
Private Investigations	64	0	22	0	0	0	0	0	11	0	0	N/A
Psychologist Examiners	0	0	0	0	0	0	0	0	0	0	0	0
Real Estate Appraisers	0	0	0	0	0	0	0	0	0	0	0	N/A
Real Estate Commission	39	0	0	0	0	0	0	0	0	0	0	\$353.00

Respiratory Care	3	0	2	0	0	0	0	2	0	0	N/A
Signed Language Interpreting Practices	0	0	0	0	0	0	0	0	0	0	0
Social Work	2	0	0	0	0	0	0	2	0	0	N/A
Speech-Language Pathology Audiology & Hearing Aid Dispensing Practices	0	0	0	0	0	0	0	0	0	0	0
Supreme Court											
Bar Examiners	NR										
Board Governing Recording of Judicial Proceedings	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Board	1	0	0	0	0	0	0	0	0	0	0
Taxation and Revenue Department											
Motor Vehicle Division	3581	3646	0	13	1292	46	1524	55	716	17	
TOTALS	173,194	4,517	34	46	1292	175	1524	102	816	22	\$29,862.95

*Based on information received from monthly reports NR = Licensing Agencies that did not report data

