

State of New Mexico



Child Support Services Division

Parental Responsibility Act (§ 40-5A-1 et seq., NMSA 1978) Annual Report (November 1, 2022 – October 31, 2023)

To

Governor Michelle Lujan Grisham
and
The New Mexico State Legislature

From

Kari Armijo, Cabinet Secretary

December 2023

CHILD SUPPORT AND THE PARENTAL RESPONSIBILITY ACT

The Human Services Department (HSD) - Child Support Services Division (CSSD) plays a very important role in the Parental Responsibility Act (PRA) which has been in effect since July 1, 1995, through State Statute, § 40-5A-1 et seq., NMSA 1978.

The purpose of the PRA is to require parents to pay down, or in some instances, eliminate child support delinquencies or participate in modernization initiatives in order to be issued, maintain or renew a license. There are currently sixty-three (63) New Mexico state entities that issue licenses as defined by the PRA that the HSD-CSSD works with in an effort to bring parents back into compliance with their child support obligation and ensure children are financially supported. Studies have shown that the collection of child support has a positive effect on family relationships, involvement by the non-custodial parent in the child's life, the child's academic achievements, and cognitive development in young children.

In 2018, the HSD-CSSD began a concerted effort to implement national best practices and modernization initiatives that positively impact the families and children it serves. The HSD-CSSD continues efforts to modernize and has made strong efforts to better serve families. Some of these efforts include changing payment distribution and disbursement rules to get more money to current and former assistance families and changing child support guidelines to allow for right-sized support orders based on the current economy and on one's ability to pay and incorporating a self-support reserve to consider the subsistence needs of parents when determining child support obligations. The main goal in these efforts is to ensure children get the consistent monthly financial support they need to grow up happy and healthy while helping parents avoid falling behind on child support payments resulting in delinquencies and large arrearage balances. The scorecard measure to the right is updated each month on the HSD website to indicate an *average* of how much a child can receive each month based on total HSD-CSSD collections.

The PRA is one of the programs that has benefited from the modernization initiatives.

In 2020, the HSD-CSSD 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. The HSD-CSSD refers NCPs to the Department of Workforce Solutions (DWS) to assist them with job development and job opportunities with the goal of getting employment and be placed on wage withholding for more consistent payments. By complying with the referral to the STEPUp! program, the NCPs are provided a Certificate of Compliance (CoC) to get their license re-issued or stop the license from being suspended by the licensing agency. Successful compliance with the referral to the STEPUp! program is in lieu of making a lump sum payment to obtain the CoC.

Figure 1: Departmental CSSD Performance Scorecard Goal 1 Measure



The STEPUp! program allows a HSD-CSSD customer to meet with a DWS Career Consultant for assistance in obtaining employment and/or addressing barriers to finding employment. In October 2023, the Application Programming Interface (API) for the Child Support Enforcement System (CSES) went live which allows the HSD-CSSD staff to send automated referrals to DWS for the STEPUp! program. There has been a total of 562 statewide interviews and 206 statewide job placements with the implementation of the STEPUp! Program from July 2022 through September 2023 with a 37% success rate of NCPs completing a job interview resulting in a job placement.

Figure 2: July 2022-June 2023 STEPUp! Interviews to Job Placements

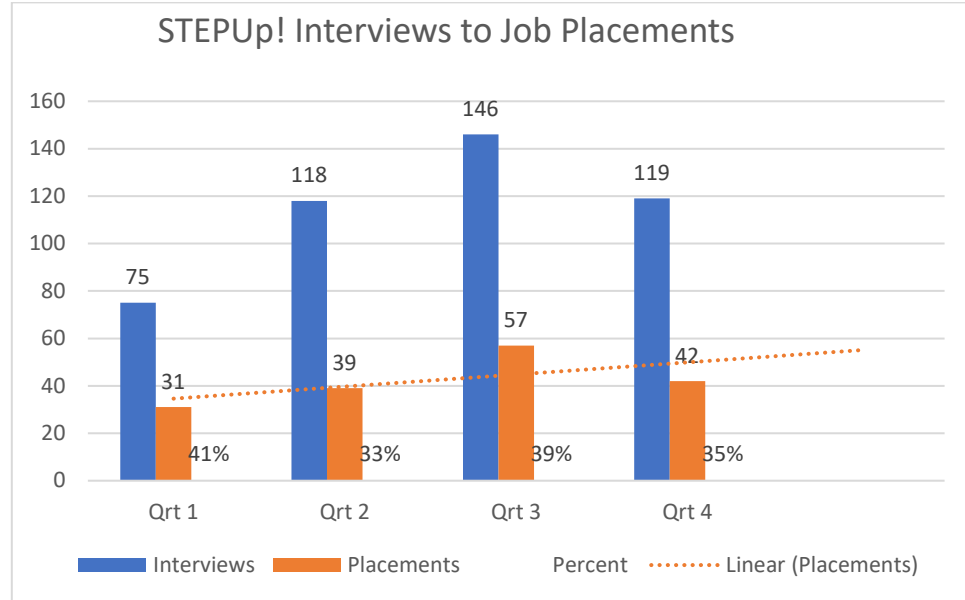
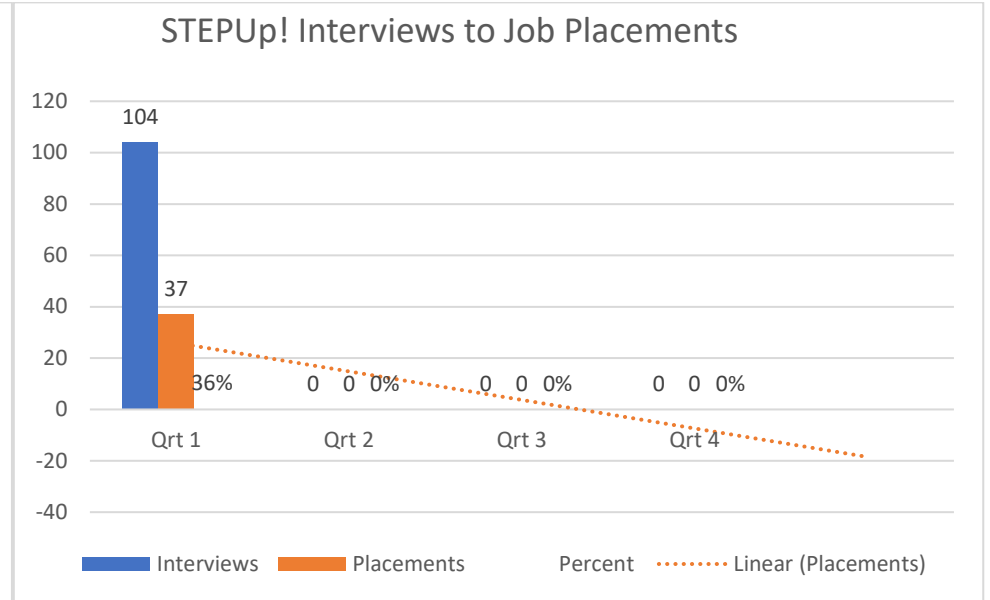


Figure 3: July 2023-September 2023 STEPUp! Interviews to Job Placements



THE PARENTAL RESPONSIBILITY ACT - PROCESS AND PROGRESS

The PRA states that, upon receiving appropriate notice, a parent will comply with subpoenas and warrants relating to child support and parentage. 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 an administrative hearing.¹

¹ See § 40-5A-6 (2015).

A PRA requirement of the HSD-CSSD (§ 40-5A-1 et seq., NMSA 1978) is annual reporting to the Governor and the Legislature on the progress of child support enforcement measures. These measures include:

- 1) the number of obligors certified by the division as delinquent;
- 2) the number of obligors who also were licensees or applicants subject to the provisions of the PRA;
- 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, 2022 to October 31, 2023.

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

Table 1: November 2022-October 2023 Delinquent Obligor Certified Monthly

2022		2023		2023	
November	13,978	January	13,956	June	13,714
December	14,000	February	13,936	July	13,543
		March	13,665	August	13,568
		April	13,648	September	13,510
		May	13,682	October	13,353

2. The number of obligors who also were licensees or applicants subject to the provisions of the PRA: **170,019**
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: **8,265**
4. The number of licenses and renewals that were granted following an applicant's compliance with a judgment and order for support: **927**
5. The number of administrative hearings conducted by the licensing entities: **12**
6. The cost incurred by the licensing agencies in the enforcement of the PRA: **\$31,125**

SUMMARY OF EFFECTIVENESS

Figure 4: Total Lump Sum Payment Amounts Collected for PRA Compliance

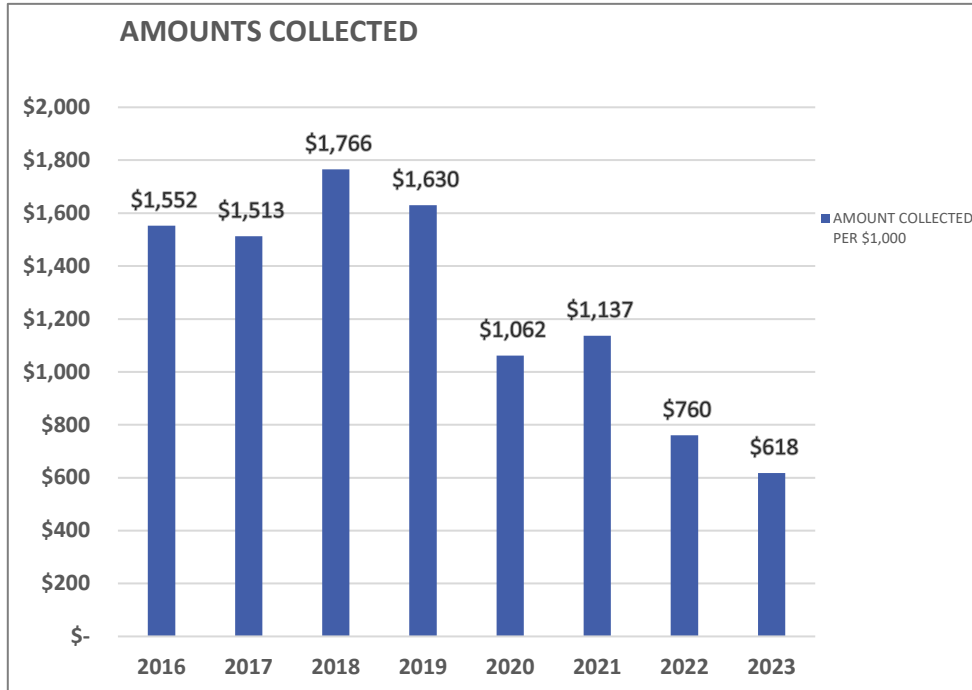
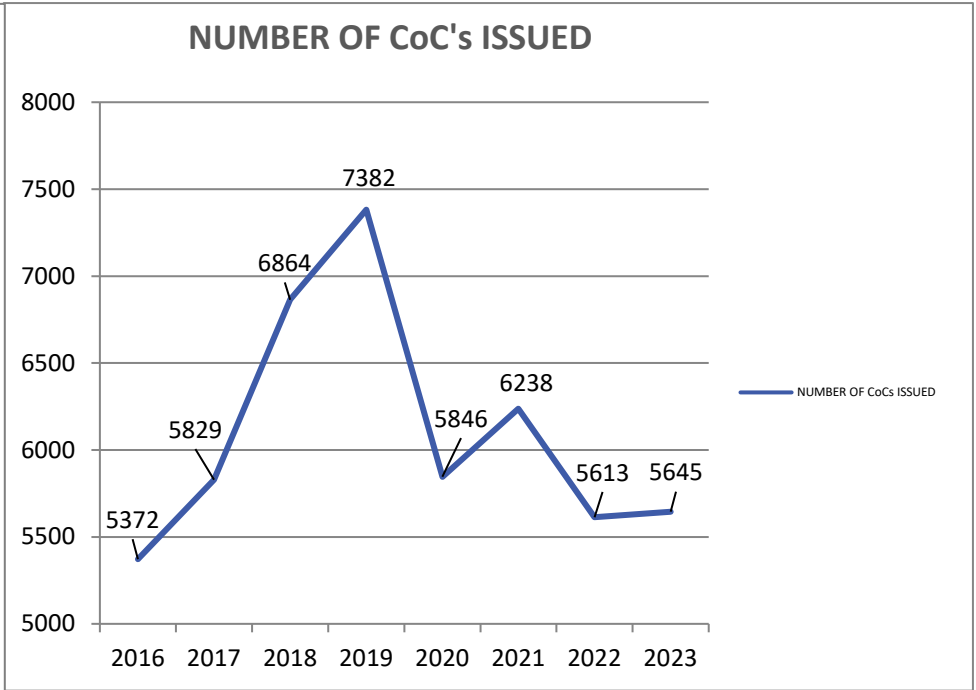


Figure 5: Total Number of CoC's Issued



The HSD-CSSD collected a total of \$617,882.00 in lump-sum payments from PRA compliance. This is a decrease in lump-sum payments from 2022 of \$759,790.86. The amount of referrals to licensing entities and collections from lump-sum payments has decreased over time due, in part, to the STEPUp! program referrals that assists NCPs with job development and job opportunities to get them back on track to meeting their monthly child support obligations rather than simply paying a lump sum payment to get their license back. The HSD-CSSD certified a monthly average of 13,713 delinquent obligors for the current review period and issued 5,645 CoC's this year. The itemization of the amounts collected by the HSD-CSSD is noted in Table #2.

Currently, the licensing entities report to the HSD-CSSD both on a monthly and annual basis on the work they have performed to comply with the PRA. The work of the licensing entities for the reporting period from November 1, 2022 to October 31, 2023 is reflected in Table #3.

Table 2: Total Collections for Reporting Period by Licensing Entity

Regulatory Organization	CSSD Total Collections for Reporting Period November 1, 2022 - October 31, 2023
Taxation and Revenue Department - MVD	\$565,071.17
Regulation and Licensing Department	
Alcohol and Gaming Division	\$998.33
Construction Industries Division	\$1,723.33
Manufactured Housing Division	\$0.00
Securities Division	\$0.00
Accountancy	\$0.00
Acupuncture and Oriental Medicine	\$0.00
Animal Shelter Servicing	\$0.00
Athletic Commission	\$300.00
Athletic Trainers	\$0.00
Barbers and Cosmetologist	\$444.00
Board of Naprapathic Practice (with NM Medical Board)	\$0.00
Body Art Practitioners	\$0.00
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	\$0.00
Psychologist Examiners	\$0.00
Real Estate Appraisers	\$0.00
Real Estate Commission	\$0.00
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	\$211.33
Maternal & Child Health Bureau	\$0.00
Medical Cannabis Program	\$0.00
Department of Public Safety	\$75.00
Department of Transportation	
Traffic Safety Bureau	\$0.00
Energy, Minerals and Natural Resources Dept.	\$0.00
Department of Game and Fish	\$46,010.33
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	\$333.33

Department of Agriculture	\$0.00
Board of Examiners for Architects	\$0.00
State of NM Medical Examiners Board	\$0.00
Board of Nursing	\$1,748.50
Commission for the Blind	\$0.00
Board of Veterinary Medicine	\$0.00
Gaming Control Board	\$0.00
Board of Licensure for Professional Engineers and Surveyors	\$0.00
Racing Commission	\$0.00
Office of Superintendent of Insurance	\$166.67
Public Regulation Commission	
State of NM Fire Marshal's Office	\$0.00
Motor Transportation Division	\$800.00
Supreme Court	
State of NM Supreme Court Bar Examiners	\$0.00
State of NM Supreme Court Disciplinary Board	\$0.00
State of NM Certified Court Reporter Board	\$0.00
Total Amount Collected	\$617,882.00

Table 3: Compliance Performance by Licensing Entity

	Number of Obligors 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	0	0	0	0	0	0	0	0	0	0	0
Board of Nursing	39	0	4	0	0	0	0	0	1	0	0
Board of Veterinary Medicine	NR										
Commission for the Blind	128	0	0	0	0	0	0	0	0	0	0
Department of Agriculture	6	3	0	0	0	0	0	0	0	0	\$2,400.00
Department of Game & Fish	1125	1125	0	0	0	0	0	0	0	0	\$28,125.00
Department of Health											
Scientific Laboratory Division	164289	0	0	0	0	0	0	0	0	0	0
Emergency Medical Services Bureau	NR										
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 Certification Board	1	0	0	0	0	0	0	0	0	0	0	0
Concealed Carrying Unit	NR											
Department of Transportation	0	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	0
Environment Department												
Solid Waste Bureau	17	0	0	0	0	0	0	0	0	0	0	0
Petroleum Storage Tank Bureau	0	0	0	0	0	0	0	0	0	0	0	\$600.00
Medical Imaging and Radiation Therapy Program	NR											
Drinking Water Bureau	2	2	0	0	0	0	0	0	0	0	0	0
Medical Board	0	0	0	0	0	0	0	0	0	0	0	0
Board of Naprapathic Practice	0	0	0	0	0	0	0	0	0	0	0	0
Board of Osteopathic Medical Examiners	0	0	0	0	0	0	0	0	0	0	0	0

Office of the Superintendent of Insurance	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Public Education Department	NR										
Public Regulation Commission											
Motor Transportation Division	3	3	3	3	3	3	3	3	3	3	0
Racing Commission	NR										
Regulation & Licensing Department											
<i>DIVISIONS:</i>											
Alcohol Beverage Control Division	0	0	0	0	0	0	0	0	19	0	0
Construction Industries Division	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Manufactured Housing Division	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Securities Division	0	0	0	0	0	0	0	0	0	0	0
<i>BOARDS & COMMISSIONS</i>											
Accountancy	0	0	0	0	0	0	0	0	0	0	0
Acupuncture and Oriental Medicine	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Athletic Commission	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Athletic Trainers	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Barbers and Cosmetologist	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK

Body Art Practitioners	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Chiropractic Examiners	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Counseling and Therapy Practice	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Dental Health	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Funeral Services Board	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Interior Design	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Landscape Architects	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Massage Therapy	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Nursing Home Administrators	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Nutrition and Dietetics	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Occupational Therapy	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Optometry	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Pharmacy	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Physical Therapist	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Podiatry	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Private Investigations	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Psychologist Examiners	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Real Estate Appraisers	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Real Estate Commission	0	0	0	0	0	0	0	0	0	0	0

Respiratory Care	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Signed Language Interpreting Practices	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Social Work	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Speech-Language Pathology Audiology & Hearing Aid Dispensing Practices	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK	UNK
Supreme Court											
Bar Examiners	0	0	0	0	0	0	0	0	0	0	0
Board Governing Recording of Judicial Proceedings	598	0	0	2	0	0	0	2	0	0	0
Disciplinary Board	0	0	0	0	0	0	0	0	0	0	0
Taxation and Revenue Department											
Motor Vehicle Division	3811	4005	0	7	1424	58	1617	52	847	9	0
TOTALS	170,019	5,138	7	12	1,427	61	1,620	57	870	12	31,125

*Based on information received from monthly reports. NR = Licensing Agencies that did not report data. UNK = Information unknown by Licensing Agencies.