



STATE OF NEW MEXICO
HUMAN SERVICES DEPARTMENT

HUMAN SERVICES REGISTER

I. DEPARTMENT

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II. SUBJECT

VERIFICATION STANDARDS SUBSEQUENT TO INITIAL CERTIFICATION
ABLE BODIED ADULTS WITHOUT DEPENDENTS (ABAWD) TIME LIMIT
PERCENTAGE EXEMPTIONS

III. PROGRAMS AFFECTED

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)
CASH ASSISTANCE PROGRAMS

IV. ACTION

PROPOSED AMENDMENTS

V. BACKGROUND

The Department is promulgating proposed regulations to the Supplemental Nutrition Assistance Program (SNAP) and Cash Assistance Programs administered by the Human Services Department (HSD), including its authority to promulgate regulation, and is governed by Chapter 9, Article 8, NMSA (Repl. 1983).

Supplemental Nutrition Assistance Program (SNAP):

The Department is proposing to:

- Create consistency and compliance with the Code of Federal Regulations (CFR) regarding verifications required at Interim Report and Recertification for SNAP and Cash Assistance benefits.
- Align current regulations, 8.139.110.12C(2) NMAC, with 7 CFR 273.2(f)(8)(i)(A)-(D) when verifications are deemed outdated at recertification of SNAP benefits.
- Amend SNAP regulations outlined in 8.139.410.14F NMAC to align ABAWD time limit exemption amounts with proposed rule from the Food and Nutrition Services (FNS) 7 CFR 273.24(g)(1) from fifteen percent to twelve percent as outlined in the Agricultural Improvement Act of 2018.

Cash Assistance Programs:

The Department is proposing to:

- Amend Cash Assistance regulations outlined in 8.102.120, sections 9 and 11 NMAC and 8.106.120 section 12 NMAC for alignment and consistency between SNAP and Cash Assistance programs for:
 - Verifications required at Interim Report and Recertification;
 - Clarification of rule; and
 - Reporting timeframes.

Concise Explanatory Statement:

The HSD is amending the rule to be in compliance with the CFR and to align program requirements. The rule will be amended under the statutory authority of the food stamp program as authorized by the Food Stamp Act of 1977 as amended (7 U.S.C. 2011-2036). Regulations issued pursuant to the act are contained in 7 CFR Parts 270-282 and 45 CFR Parts 200-299. State authority for administering the food stamp program is contained in Chapter 27 NMSA, 1978. Administration of the Human Services Department (HSD), including its authority to promulgate regulations, is governed by Chapter 9, Article 8, NMSA 1978 (Repl. 1983).

VI. EFFECTIVE DATE

October 10, 2019

VII. PUBLIC HEARING

This register and proposed regulations are also available on the New Mexico Human Services Department (HSD) 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 or 505-827-7254. HSD will hold a public hearing to allow comment on the proposed amendments of the Supplemental Nutrition Assistance Program (SNAP) and Cash Assistance regulations. The hearing will be held on Friday, July 26, 2019, from 10:00 a.m. to 11:00 a.m., at the HSD Administrative Services Division (ASD) conference room, 1474 Rodeo Road, Santa Fe, NM 87505. The conference room is located on the first floor. Individuals wishing to testify may contact the Income Support Division, P.O. Box 2348, Santa Fe, NM 87504-2348, or by calling (505) 827-7254. 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.

VIII. ADDRESS

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, July 26, 2019. Please send comments to:

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

IX. PUBLICATION

Publication of these proposed amendments approved on May 24, 2019
by:



DAVID R. SCRASE, M.D., SECRETARY
HUMAN SERVICES DEPARTMENT