

This is an amendment to 8.106.120 NMAC, Section 12 effective 11/1/2019.

8.106.120.12 RECERTIFICATION TIME STANDARDS:

A. GA benefits shall not continue beyond the certification period if eligibility requirements in Section 10 above have not been met; regardless of disability review.

B. Reapplication:

(1) **Timely reapplication:** Applications submitted before the 15th of the expiration month will be considered timely.

(2) **Untimely reapplication:** An application received after the 15th but before the end of a benefit group's certification period expires has lost its right to interrupted benefits.

(a) If the benefit group is determined eligible, without regard to disability, the benefit group is entitled to ongoing benefits that are not prorated.

(b) Initial month verification standards will be used for all applications received more than one calendar month after the certification period expires or the case has been closed for any reason.

(3) **Late applications:** An application that is submitted to ISD within 30 days after the certification period has expired or the case has been closed for any reason can be accepted and recertification standards outlined in 8.102.120.9 NMAC will be followed. If approved, the benefits will be prorated from the date of approval. Any applications received more than 30 days after the certification period expires or closes for any reason will follow the initial month verification standards.

C. Verification: A benefit group that has reapplied timely, completed an interview and provided required verification, specific to eligibility, will be given 10 days to provide the verification or until the certification period expires, whichever is longer. If the certification period expires before the 10-day deadline for submitting the required verification, the benefit group will be entitled to a full month's benefits, if eligible, within five days after verification is submitted.

D. Agency failure to act: A benefit group that has made a timely application for recertification, but due to agency error, is not determined eligible in sufficient time to provide for issuance by the benefit group's normal issuance date in the following month, will be entitled to restoration of lost benefits.

[8.106.120.12 NMAC - N, 12/01/2009; A, 11/1/2019]