

NOTICE OF PUBLIC HEARING

The New Mexico Human Services Department (HSD) will hold a public hearing to allow public comment to adopt the SNAP and Cash rules. 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). The hearing will be held on Friday September 13, 2019 from 8:00 a.m. to 9:00 a.m. at the HSD Administrative Services Division (ASD) conference room, 1474 Rodeo Road, Santa Fe, NM 87505.

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, Paragraph (2) of Subsection C of 8.139.110.12 NMAC, with 7 CFR 273.2(f)(8)(i)(A)-(D) when verifications are deemed outdated at recertification of SNAP benefits.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 Subsection F of 8.139.410.14 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. The Department is also proposing to amend Cash Assistance regulations outlined in 8.102.120.9, 8.102.120.11 and 8.106.120.12 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.

The Human Services Register Vol. 42 No. 16 outlining the proposed regulations are available on the HSD's website at: <http://www.hsd.state.nm.us/LookingForInformation/income-support-division-registers.aspx>. Individuals wishing to testify or to request a copy of the proposed regulation should contact the Income Support Division, P.O. Box 2348, Santa Fe, New Mexico 87504-2348, or by calling 505-827-7250 or 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, at 711 or toll free at 1-800-659-1779. 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, September 13, 2019. The agency shall post all written comments on its website, if one exists, as soon as practicable and no more than 3 business days following receipt to allow for public review. All written comments received by the agency shall also be available for public inspection at the main office of the agency. 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