

This is an amendment to 8.139.610 NMAC, Section 8, effective 3/1/2020.

Throughout the rule, “and/or” was replaced with “or” to conform to correct legislative style.

8.139.610.8 ~~[BENEFIT ISSUANCE SYSTEM]~~

~~_____ **A. Electronic benefit transfer (EBT):** SNAP benefits are issued through a direct deposit into an EBT account. The benefits are maintained in a central database and accessed by the household through an individual debit card issued to the household.~~

~~_____ **B. Initial issuance of EBT card:** The EBT card is issued to the designated payee of the eligible household or to the designated authorized representative.~~

~~_____ (1) The EBT card is mailed to the head of household or the designated authorized representative on the first working day after the application is registered. The applicant or recipient shall receive training on the use of the EBT card prior to activation of the EBT card.~~

~~_____ (2) The EBT card shall be issued to the payee for an eligible household through the most effective means identified by HSD which may include issuance at the county office or by mail.~~

~~_____ (3) The applicant or recipient must verify his or her identity.~~

~~_____ (4) The payee for the eligible household may select the four digit personal identification number that will allow access to the household’s SNAP benefits.~~

~~_____ **C. Replacement of the EBT card:** The recipient or designated authorized representative shall be instructed on the procedure for replacement of an EBT card that has been lost, stolen or destroyed.~~

~~_____ (1) The recipient or designated authorized representative may report a lost, stolen or destroyed EBT card through the HSD EBT contractor customer service help desk, HSD EBT customer service help desk or any ISD field office.~~

~~_____ (2) The lost, stolen, or destroyed EBT card shall be deactivated prior to a replacement card being issued to the household.~~

~~_____ (3) ISD shall make replacement EBT cards available for client to pick up or place the card in the mail within two business days following notice by the household to ISD that the card has been lost, stolen or damaged.~~

~~_____ (4) ISD may impose a replacement fee by reducing the monthly allotment of the household receiving the replacement card, however, the fee may not exceed the cost to replace the card.~~

~~_____ **D. Inactive EBT accounts:** EBT accounts which have not been accessed by the recipient in the last 90 days are considered a stale account. HSD may store stale benefits offline after notification to the household of this action.~~

~~_____ (1) The notification to the household shall include the reason for the proposed action and the necessary steps required by the recipient to reactive the account.~~

~~_____ (2) The recipient may request reinstatement of their EBT account anytime within 364 days after the date of the last benefit account activity.~~

~~_____ **E. Excessive replacement cards:** The HSD office of inspector general (HSD-OIG) will generate a warning letter to SNAP recipients that have replaced their EBT card five or more times in a 12 month period. The letter is a notice of warning and will explain that as a result of the recipient’s high number of replacement EBT cards, their EBT SNAP transactions will be closely monitored. The letter will become part of the recipient’s case record. The letter will:~~

~~_____ (1) be written in clear and simple language;~~

~~_____ (2) meet the language requirements described at 7 CFR 272.4(b);~~

~~_____ (3) specify the number of cards requested and over what period of time;~~

~~_____ (4) explain that the next request, or the current request if the threshold has been exceeded, requires contact with ISD before another card is issued;~~

~~_____ (5) provide all applicable information on how contact is to be made in order for the client to comply, such as whom to contact, a telephone number and address; and~~

~~_____ (6) include a statement that explains what is considered a misuse or fraudulent use of benefits and the possibility of referral to the fraud investigation unit for suspicious activity.~~

~~_____ **F. EBT benefit expungement:** HSD may expunge benefits that have not been accessed by the household after a period of 365 days. HSD must attempt to notify the household prior to expungement. Expunged~~

~~benefits are no longer available to the household. Requests for reactivation must be received prior to expungement and a determination shall be made by the director or designee of the income support division.] [RESERVED]~~
[2/1/1995; 8.139.610.8 NMAC - Rn, 8 NMAC 3.FSP.610, 05/15/2001; A, 02/28/2007; A, 07/15/2013; A, 07/24/2018; Repealed, 3/1/2020]