

NOTICE OF PUBLIC HEARING

The United States Department of Agriculture proposed regulations on March 17, 2020, in compliance with the 2018 Agriculture Act. These regulation changes take effect March 8, 2021. The Department is promulgating proposed regulations to the for the Supplemental Nutrition Assistance Program (SNAP) administered by the Human Services Department (HSD), including its authority to promulgate regulation, and is governed by Chapter 9, Article 8, NMSA (Repl. 1983). Proposed amendments to sections 12, 13, and 14 of 8.139.410 NMAC are being proposed to gain compliance with regulations mentioned above. Changes in 8.139.410.12D NMAC are being proposed to clarify notification to customer who gain compliance prior to the end of the adverse action period. Changes in 8.139.410.12D(1) NMAC to update the correct CFR citation. Changes in 8.139.410.13 NMAC is broadening the types of reimbursable expenses for those participating in the Employment and Training Program (E&T). Changes in 8.139.410.14B NMAC are updating the Good Cause requirements for Able-Bodied Adults Without Dependents (ABAWD) to align with current federal policies.

The NMHSD is amending the rule to comply with the CFR. 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).

A public hearing to receive testimony on this proposed rule, pursuant to Section 14-4-5.6 NMSA 1978, will be held on Friday, May 7, 2021 from 9:00am-10:00am. The hearing will be held virtually through GoTo Meeting at this link: <https://global.gotomeeting.com/join/752378941>. Anyone wishing to join via phone may call +1 (872) 240-3212, Access Code: 752-378-941. Written comment may be dropped off during the scheduled hearing time at the HSD Administrative Services Division (ASD) conference room, 1474 Rodeo Road, Santa Fe, NM 87505 if the individual wishes to provide written comment during the scheduled hearing; this drop off site will be for write.

The Human Services Register Vol. 44 No. 04 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, Friday, May 7, 2021. 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