

This is an amendment to 16.25.10 NMAC, Sections 7 & 9 effective 02/11/2025

16.25.10.7 DEFINITIONS:

- A.** “Animal Sheltering Committee” is as established pursuant to Section 61-14-7.1, NMSA 1978.
- B.** “Disbursement” means payment of monies from the Animal Care and Facility Fund pursuant to the requirements in, Section 77-1B-4, NMSA 1978. Eligible applicants will receive monies in advance of services provided pursuant to the terms of the application, except that eligible individual applicants will receive reimbursement paid directly to providers for services performed.
- C.** “Eligible applicant” means:
- (1) an animal shelter, euthanasia agency, or non-profit organization in good standing with the Secretary of State in the state of licensure; or
 - (2) an individual with a household income that does not exceed two hundred percent of the federal poverty level guidelines as published by the U.S. Department of Health and Human Services.
- D.** “Fund” means the Animal Care and Facility Fund established in Subsection (A) of Section 77-1B-4, NMSA 1978, including the statewide spay and neuter subaccount established in Subsection (D) of Section 77-1B-4, NMSA 1978.
- E.** “Monies” means fees, income and money in the Animal Care and Facility Fund, including money in the statewide spay and neuter subaccount.
- F.** “Qualified service provider” means a veterinarian in good standing [~~or other~~] licensed [~~provider of~~] to provide spay/neuter services to eligible New Mexico applicants in the jurisdiction where the services are rendered. [~~New Mexico.~~]
- G.** “Qualified” means licensed to provide veterinary services in New Mexico and in good standing with the Board as well as with the provider’s licensing entity.
[16.25.10.7 NMAC-N, 1/14/2025, A, 2/11/2025]

16.25.10.9 OBLIGATIONS OF SUCCESSFUL APPLICANTS: Applicants receiving disbursements from the Animal Care and Facility Fund shall:

- A.** maintain all relevant organizational documents showing that they are in good standing with the Secretary of State;
- B.** submit an amended application in the event that their proposed scope of services or proposed service provider(s) change, which amendment shall be submitted within 60 days of such change;
- C.** submit an annual report based on the date of initial approval, to the Board that shall include:
- (1) the number of spay and neuter surgeries that the organization has sponsored or performed during the relevant period, which is one year from the date of disbursement of money unless otherwise specified and sanctioned in the application;
 - (2) the average cost of each spay and neuter surgery performed;
 - (3) certification that the recipients of the services performed by non-profit organizations have household incomes not exceeding two hundred percent of the federal poverty [~~level~~] guidelines;
 - (4) any other information as determined by the Animal Sheltering Committee or the Board.
- D.** submit additional reports as required by the Board.
- E.** perform or facilitate the performance of spay and neuter surgeries for cats and dogs residing in New Mexico.
- F.** monies unspent before the deadline given shall be returned to the NMBVM to be reverted to the Animal Care and Facility Fund.
[16.25.10.9 NMAC-N, 1/14/2025, A, 2/11/2025]