

NOTICE OF PUBLIC HEARING

The Health Care Authority (HCA) through Income Support Division (ISD) is promulgating regulations for the Supplemental Nutrition Program (SNAP) under the Food Stamp Program. HCA administers the SNAP program and has the authority to promulgate regulations, and is governed by Chapter 9, Article 8, NMSA (Repl. 1983). Amendments to 8.139.520.10 NMAC are being proposed to gain compliance with Code of Federal Regulations (CFR) 7 CFR 273.9(d)(6)(iii)(F).

Section 10 of 8.139.520 NMAC is being updated to reflect that the allowable expenses shall be counted as a pro rata basis, when this occurs, and how to calculate the expense.

Subsection C. (5)(b)(iii): The allowable expense(s) either billed to or paid by the ineligible alien shall be counted on a pro rata basis to the remaining eligible household members. The prorated share is calculated by dividing the expense(s) evenly by all household members, including the excluded member(s). The result is multiplied by the number of eligible household members to determine countable expense(s).

Subsection C. (5)(c)(iii): The allowable expense(s) either billed to or paid by the ineligible alien shall be counted on a pro rata basis to the remaining eligible household members. The prorated share is calculated by dividing the expense(s) evenly by all household members, including the excluded member(s). The result is multiplied by the number of eligible household members to determine countable expense(s).

All references of “ineligible alien” changed to “ineligible non-citizen”.

No other sections of 8.139.520 are under review at this time.

A hybrid public hearing to receive testimony on this proposed rule will be held, pursuant to Section 14-4-5.6 NMSA 1978, on Thursday, May 29th, 2025, at 11:00 a.m. - 12:00 p.m. You may join in person, virtually, or by phone.

You may join in person at:

HCA Administrative Services (ASD) conference room, 1474 Rodeo Road, Santa Fe, NM 87505.

You may join virtually from your computer, tablet or smartphone:

Microsoft Teams

Join the meeting now

Meeting ID: 222 687 599 930

Passcode: aZ734Vp7

You may join by phone:

+1 505-312-4308# United States, Albuquerque

Find a local number

Phone conference ID: 448121174

The register and rule language are available on the HCA website at:

<https://www.hca.nm.gov/lookingforinformation/income-support-division-registers-2/>.

If you do not have internet access, a copy of the final register and rules may be requested by contacting HCA Office of the Secretary at (505) 827-7750.

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 HCA public hearing, program, or service, please contact the American Disabilities Act Coordinator, at Office-505-709-5468, Fax-505-827-6286 or through the New Mexico Relay system, toll free at #711. The Department requests at least a 10-day advance notice to provide the requested alternative formats and special accommodations.

Written comment may be dropped off during the scheduled hearing time at the HCA 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. All written comments will be posted on the agency website within 3 days of receipt.

Individuals wishing to testify may contact the Income Support Division (ISD), P.O. Box 2348, Santa Fe, NM 87504-2348, or by calling (505) 629-8725.

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, Thursday, May 29th, 2025, Please send comments to:

Income Support Division
P.O. Box 2348
Santa Fe, NM 87504-2348

Recorded comments may be left at (505) 629-8725. You may send comments electronically to: HCA-isdrules@hca.nm.gov. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.