

TITLE 8 SOCIAL SERVICES
CHAPTER 102 CASH ASSISTANCE PROGRAMS
PART 230 GENERAL FINANCIAL - PAYABLES AND DISBURSEMENT

8.102.230.1 ISSUING AGENCY: New Mexico Health Care Authority.
[8.102.230.1 NMAC - Rp 8.102.230.1 NMAC, 7/1/2024]

8.102.230.2 SCOPE: The rule applies to the general public.
[8.102.230.2 NMAC - Rp 8.102.230.2 NMAC, 7/1/2024]

8.102.230.3 STATUTORY AUTHORITY:

A. Articles 1 and 2 of Chapter 27 NMSA 1978 authorize the state to administer the aid to families with dependent children (AFDC), general assistance (GA), shelter care supplement, the burial assistance programs and such other public welfare functions as may be assumed by the state.

B. Federal legislation contained in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 abolished the AFDC program. The federal act created the temporary assistance for needy families (TANF) block grant under Title IV of the Social Security Act. Through the New Mexico Works Act of 1998, the New Mexico works program was created to replace the aid to families with dependent children program.

C. Under authority granted to the governor by the federal Social Security Act, the health care authority (HCA) is designated as the state agency responsible for the TANF program in New Mexico.

D. Effective April 1, 1998, in accordance with the requirements of the New Mexico Works Act and Title IV-A of the federal Social Security Act, the HCA is creating the New Mexico works program as one of its financial assistance programs.

E. In close coordination with the NMW program, the HCA administers the food stamp employment and training program (E&T) pursuant to the Food Security Act of 1985 and federal regulations at Title 7, Code of Federal Regulations.

F. Section 9-8-1 et seq. NMSA 1978 establishes the health care authority (HCA) as a single, unified department to administer laws and exercise functions relating to health care facility licensure and health care purchasing and regulation.

[8.102.230.3 NMAC - Rp 8.102.230.3 NMAC, 7/1/2024]

8.102.230.4 DURATION: Permanent.
[8.102.230.4 NMAC - Rp 8.102.230.4 NMAC, 7/1/2024]

8.102.230.5 EFFECTIVE DATE: July 1, 2024, unless a later date is cited at the end of a section.
[8.102.230.5 NMAC - Rp 8.102.230.5 NMAC, 7/1/2024]

8.102.230.6 OBJECTIVE:

A. The purpose of the New Mexico works (NMW) program is to improve the quality of life for parents and children by increasing family income, assisting parents to develop the discipline necessary for self-sufficiency and to improve their self-esteem. The further purpose of the program is to increase family income through family employment and child support and by viewing financial assistance as a support service to enable and assist parents to participate in employment.

B. The objective of general assistance is to provide financial assistance to dependent needy children and disabled adults who are not eligible for assistance under a federally matched financial assistance program like NMW or the federal program of supplemental security income (SSI).

C. The objective of the supplement for residential care program is to provide a cash assistance supplement to SSI recipients who reside in licensed adult residential care homes.

D. The objective of the burial assistance program is to assist in payment of burial expenses for deceased, low-income individuals.

[8.102.230.6 NMAC - Rp 8.102.230.6 NMAC, 7/1/2024]

8.102.230.7 DEFINITIONS: [RESERVED]
[8.102.230.7 NMAC - Rp 8.102.230.7 NMAC, 7/1/2024]

8.102.230.8 [RESERVED]

[8.102.230.8 NMAC - Rp 8.102.230.8 NMAC, 7/1/2024]

8.102.230.9 DEATH OF CLIENT:

A. Payment: Payment may be made on behalf of a client who died before an EBT withdrawal was made, if the client was alive on the first day of the month for which cash assistance benefits were issued, and all eligibility conditions were met at the time of death. The person authorized to use the deceased recipient's benefits is the surviving spouse, next of kin, or a person with responsibility for the deceased recipient's affairs.

B. Withdrawing EBT benefits: When payment is made in accordance with these procedures, the county office shall not restrict or dictate the use of the money paid.

[8.102.230.9 NMAC - Rp 8.102.120.10 NMAC, 7/1/2024]

History of 8.102.230 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives:

ISD 271.0000, Procedures Applicable to Payment and Related Changes, 5/16/1980.

ISD FA 450, Payment, 2/10/1988.

History of Repealed Material: 8 NMAC 3.FAP, Financial Assistance Program - Repealed, 07/01/1997.

8.102.230 NMAC General Financial - Payables and Disbursement - Repealed, 07/01/2001.

8.102.230 NMAC General Financial - Payables and Disbursement, (filed 6/18/2001) – Repealed, effective 7/1/2024.

Other: 8.102.230 NMAC General Financial - Payables and Disbursement, (filed 6/18/2001) - Replaced by 8.102.230 NMAC General Financial - Payables and Disbursement, effective 7/1/2024.