

TITLE 8 SOCIAL SERVICES
CHAPTER 119 REFUGEE RESETTLEMENT PROGRAM
PART 110 GENERAL OPERATING POLICIES APPLICATIONS

8.119.110.1 ISSUING AGENCY: New Mexico Human Services Department
[07/01/97; 8.119.110.1 NMAC - Rn, 8 NMAC 3.RRP.000.1, 03/14/2001]

8.119.110.2 SCOPE: The rule applies to the general public.
[07/01/97; 8.119.110.2 NMAC - Rn, 8 NMAC 3.RRP.000.2, 03/14/2001]

8.119.110.3 STATUTORY AUTHORITY:

A. The refugee resettlement program (RRP) is authorized under Title IV of the Immigration and Nationality Act of 1980. The act designates the federal department of health and human services (DHHS) as the federal administering agency. RRP regulations are issued by DHHS in the Code of Federal Regulations, Title 45, Part 400, which is supplemented by administrative and program instructions issued by the federal department from time to time.

B. In accordance with authority granted to the department by NMSA 1978, section 27-1-3(J), and pursuant to Executive Order No. 80-62, dated 10/01/81, the governor of the state of New Mexico has designated the human services department as the single state agency responsible for administering the program in New Mexico.
[07/01/97; 8.119.110.3 NMAC - Rn, 8 NMAC 3.RRP.000.3, 03/14/2001; A, 11-01-2013]

8.119.110.4 DURATION: Permanent.
[07/01/97; 8.119.110.4 NMAC - Rn, 8 NMAC 3.RRP.000.4, 03/14/2001]

8.119.110.5 EFFECTIVE DATE: July 1, 1997.
[07/01/97; 8.119.110.5 NMAC - Rn, 8 NMAC 3.RRP.000.5, 03/14/2001]

8.119.110.6 OBJECTIVE: The objective of the RRP is to assist refugees to become self-sufficient by providing a program of financial and medical assistance while, supportive services are provided, to ensure the effective resettlement of refugees in the state of New Mexico through programs designed to assist with integration, promotion of economic self-sufficiency, and protecting refugees and communities from infectious diseases and other health related issues. HSD has agreed to administer this program subject to the receipt of federal funds. Under the RRP, sponsors(s) and VOLAGs work closely with the federal government to coordinate support services authorized under the program. The RRP includes the provision of refugee cash assistance (RCA), refugee medical assistance (RMA), refugee social services (RSS) and additional support services funded by the office of refugee resettlement (ORR).
[07/01/97; 8.119.110.6 NMAC - Rn, 8 NMAC 3.RRP.000.6, 03/14/2001; A, 11-01-2013]

8.119.110.7 DEFINITIONS: [Reserved]
[07/01/97; 8.119.110.7 NMAC - Rn, 8 NMAC 3.RRP.000.7, 03/14/2001]

8.119.110.8 APPLICATIONS:

A. Processing applications: Application processing requirements, timeliness and verification standards, procedures, forms, and notification requirements established for the NMW program are applicable to the RRP, unless otherwise noted.

B. If there are children nineteen and under included in the household, the applicant's eligibility will first be determined in accordance with all NMW program requirements, procedures and policies. If the applicant is not found eligible for NMW, eligibility shall then be determined under the RRP.

C. Refugees are not required to apply for cash assistance in order to apply for medical assistance.

D. For cash assistance applicants, only those sections of the form dealing with the following information must be completed:

- (1) identification and origin of the refugee applicants;
- (2) income and resources of the benefit group;
- (3) living arrangements; and
- (4) statement of agreement and understanding of the circumstances under which cash assistance is

granted, signed by the applicant.

E. If an otherwise eligible refugee demonstrates an urgent and immediate need for cash assistance, the application will be processed with due diligence to expedite the initial RCA payment on an emergency basis. [07/01/97; 8.119.110.8 NMAC - Rn, 8 NMAC 3.RRP.114, 03/14/2001; A, 11-01-2013]

8.119.110.9 REFERRAL TO OTHER AGENCIES:

A. Referral to sponsoring agency: The county office is required to notify the refugee's sponsor or local affiliate which provided for the resettlement of the refugee whenever a refugee applies for RCA. This requirement applies to new arrival refugees and to second migration refugee cases. In the event the VOLAG does not have a local affiliate for the latter cases, the VOLAG will be notified. A response from the sponsor is not required and workers should not delay an application for this reason. A current list of VOLAGs is available on the ORR website.

B. Referral to SSI:

(1) All refugee applicants and recipients who are 65 years of age or older, or who are blind or disabled, will immediately be referred by the county office to the social security administration to apply for SSI benefits.

(2) Such refugees will be included in the assistance grant, using the NMW standard of need until SSI benefits take effect. Refugees are advised to report SSI payments when received, to ISD. [07/01/97; 8.119.110.9 NMAC - Rn, 8 NMAC 3.RRP.118, 03/14/2001; A, 11-01-2013]

History of 8.119.110 NMAC:

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

ISD-IPP 81-8, Limiting Assistance to 36 Months After Arrival into U.S. to Refugees (ISD Categories 19 and 49), 4/10/81.

ISD-IPP 82-7, Limiting Refugee Assistance to 18 Months After Refugee's Arrival into U.S., 3/15/82.

ISD 281.0000, Refugee Eligibility Conditions, 6/29/82.

ISD FA 610, Refugee Resettlement Program, 2/11/88.

ISD FA 610, Refugee Resettlement Program, 7/2/90.

History of Repealed Material: 8 NMAC 3.RRP, Refugee Resettlement Program - Repealed, 07/01/97.