

**TITLE 9            HUMAN RIGHTS**  
**CHAPTER 2        AGE**  
**PART 14           STATE-FUNDED FOSTER GRANDPARENT PROGRAM**

**9.2.14.1            ISSUING AGENCY:** New Mexico Aging and Long Term Services Department (NMA LTSD)  
[9.2.14.1 NMAC - Rp, SAA Rule No. 95-14.1, 6/30/2015]

**9.2.14.2            SCOPE:** These rules apply to members of the public and organizations that participate in the delivery of services to New Mexico's aging and disability population.  
[9.2.14.2 NMAC - Rp, SAA Rule No. 95-14.2, 6/30/2015]

**9.2.14.3            STATUTORY AUTHORITY:** Aging and Long-Term Services Department Act, Sections 9-23-1 to 9-23-12 NMSA 1978; Older Americans Act of 1965, 42 U.S.C. Sections 3001 to 3058, and implementing regulations.  
[9.2.11.3 NMAC - Rp, SAA Rule No. 95-14.3, 6/30/2015]

**9.2.14.4            DURATION:** Permanent.  
[9.2.14.4 NMAC - Rp, SAA Rule No. 95-14.4, 6/30/2015]

**9.2.14.5            EFFECTIVE DATE:** June 30, 2015, unless a later date is cited at the end of a section.  
[9.2.14.5 NMAC - Rp, SAA Rule No. 95-14.5, 6/30/2015]

**9.2.14.6            OBJECTIVE:** The objective of this rule is to establish standards and procedures for the state-funded foster grandparent programs administered by the aging and long-term services department.  
[9.2.14.6 NMAC - Rp, SAA Rule No. 95-14.6, 6/30/2015]

**9.2.14.7            DEFINITIONS:** The Foster Grandparent Program provides contracts to qualified organizations for the dual purposes of engaging persons 55 and older, particularly those with limited incomes, in volunteer service to meet critical community needs and of providing high-quality experiences that will enrich the lives of the volunteers. Foster grandparents provide supportive, person-to-person services to children who have exceptional needs, or who are in circumstances that limit their academic, social, or emotional development. State-funded foster grandparents may receive stipends to support their volunteer work.  
[9.2.14.7 NMAC - Rp, SAA Rule No. 95-14.7, 6/30/15]

**9.2.14.8            LEGAL REFERENCES:** Domestic Volunteer Service Act of 1973, 42 U.S.C. Sections 4950 to 5085; 42 U.S.C. Section 12651; Foster Grandparent Program, 45 C.F.R Section 2552.  
[9.2.14.8 NMAC - Rp, SAA Rule No. 95-14.8, 6/30/2015]

**9.2.14.9            CORPORATION FOR NATIONAL AND COMMUNITY SERVICE HANDBOOK:**  
**A.**        The department adopts the most current corporation for national and community service (CNCS) foster grandparent program handbook as the operating rules and procedures with which state-funded foster grandparent programs must comply.  
**B.**        Eligibility for state-funded foster grandparent programs is the same as for the CNCS program. However, the department secretary may waive any provisions of the CNCS handbook except those which will jeopardize a program's continued federal sponsorship.  
[9.2.14.9 NMAC - Rp, SAA Rule No. 95-14.9, 6/30/2015]

**9.2.14.10           DEPARTMENT RESPONSIBILITIES:** The department shall:  
**A.**        Allocate funds appropriated by the state legislature:  
          (1)        To current contractors to maintain or enhance levels of operation; and  
          (2)        Expand services based on determined need;  
**B.**        Contract with new organizations to the extent that funds are available;  
**C.**        Conduct at least one assessment of each contractor every two years; and  
**D.**        Provide training and technical assistance to volunteers and employees of contract organizations.  
[9.2.14.10 NMAC - Rp, SAA Rule No. 95-14.10, 6/30/2015]

**9.2.14.11 CONTRACTOR RESPONSIBILITIES:** Contractors shall:

- A.** Comply with federal and state regulations and policies, except to the extent that the department has granted a waiver of any federal policies.
- B.** Submit an annual budget proposal and work plan in the format established by the department.
- C.** Submit monthly financial expenditure reports and requests for reimbursement to the department, as requested.
- D.** Submit reports to the department in the form and manner required and specified by the department in the contract scope of work.
- E.** Submit an annual financial audit as requested by the department.
- F.** Coordinate with other aging network providers, particularly in the areas of transportation, outreach, and supportive services.
- G.** Attend required meetings and training sessions; and.
- H.** Budget sufficient state funds to allow at least one (1) representative to attend the annual New Mexico conference on aging and one (1) state aging network training session.

[9.2.14.11 NMAC - Rp, SAA Rule No. 95-14.11, 6/30/2015]

**HISTORY OF 9.2.14 NMAC:**

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center: SAA Rule No. 95-14, State Funded Foster Grandparent Program, filed 4/13/1995.

**History of Repealed Material:**

SAA Rule No. 95-14, (filed 4/13/1995) - Repealed 6/30/2015.