

NOTICE OF PUBLIC HEARING

The New Mexico Human Services Department (HSD) adopted emergency rules for the Federal Poverty Level (FPL), effective October 1, 2018. The Department is holding a public hearing to adopt the rules to make them permanent pursuant to Section 14-4-5.6 NMSA 1978. Regulations issued pursuant to the act are contained in 45 CFR Parts 200-299. Administration of the HSD, including its authority to promulgate regulations, is governed by Chapter 9, Article 8, NMSA 1978 (Repl. 1983). The rules were implemented to comply with the Federal mandate; failure to implement the emergency rules would have placed the Department in violation of Federal law.

The HSD is required to make changes to 8.102.500 of the New Mexico Administrative Code (NMAC) and 8.106.500 NMAC. The Standard Utility Allowances and the Federal Poverty Guidelines are determined by the United States Department of Agriculture (USDA) and Food and Nutrition Services (FNS) each federal fiscal year. These amounts are used to determine the maximum Supplemental Nutrition Assistance Program, Cash Assistance and Low Income Heating and Energy Assistance Programs benefit issuance amounts.

HSD will hold a public hearing to allow public comment on the amendment of the rules for the FPL regulations that were published November 13, 2018. The hearing will be held on Friday, December 14, 2018, from 9:30 a.m. to 10:30 a.m., at the HSD Administrative Services Division (ASD) conference room, 1474 Rodeo Road, Santa Fe, NM 87505. The conference room is at the ASD Rodeo Building, first floor. Oral and written comments will be received at that time. All comments received will be posted to the agency's website within three days of receipt. They can be found at: <http://www.hsd.state.nm.us/LookingForInformation/income-support-division-registers.aspx>. The deadline to submit public comment will be 5:00 p.m. on Friday, December 14, 2018.

The Human Services Register Vol. 41 No. XX outlining the regulations is available on the HSD's website at: <http://www.hsd.state.nm.us/LookingForInformation/income-support-division-registers.aspx>. Individuals wishing to testify or to request a copy of the final regulations should contact the Income Support Division, P.O. Box 2348, Santa Fe, NM 87504-2348, or by calling 505-827-7244.

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 HSD public hearing, program, or service, please contact the Assistant General Counsel/American Disabilities Act Coordinator, at 505-827-6201 or through the New Mexico Relay system, at 711 or toll free at 1-800-659-1779. The Department requests at least a 10-day advance notice to provide requested alternative formats and special accommodations.

Individuals who do not wish to attend the hearing may submit written comments which must be received by 5:00 p.m. on the date of the hearing, Friday, December 14, 2018. Please send comments to:

Human Services Department
P.O. Box 2348
Santa Fe, New Mexico 87504-2348

You may also send comments electronically to: HSD-isdrules@state.nm.us