

HOUSE BILL 252

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

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AN ACT

RELATING TO CHILDREN; AMENDING THE AGING AND LONG-TERM SERVICES
DEPARTMENT ACT TO CREATE THE KINSHIP CAREGIVER SUPPORT PILOT
PROGRAM; PROVIDING PILOT PROGRAM PARTICIPATION REQUIREMENTS;
PROVIDING DUTIES; MAKING AN APPROPRIATION; DECLARING AN
EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Aging and Long-Term
Services Department Act is enacted to read:

"[NEW MATERIAL] PILOT PROGRAM CREATED--PURPOSE--DEPARTMENT
DEVELOPMENT--ELIGIBILITY--REQUIREMENTS--ADMINISTRATION.--

A. As used in this section:

(1) "fictive kin" means a person not related
by birth, adoption, marriage or legal guardianship with whom a
child has an emotionally significant relationship;

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1 (2) "grandparent" means a biological or
2 adoptive parent of a minor child's biological or adoptive
3 parent and includes a person married to a grandparent;

4 (3) "kinship caregiver" means a grandparent,
5 next-of-kin or fictive kin who is raising and supporting a
6 child;

7 (4) "next-of-kin" means a relative of a child,
8 other than a parent or grandparent, who is raising and
9 supporting a child;

10 (5) "participant" means a kinship caregiver
11 for a child in this state who is a New Mexico resident and who
12 participates in the pilot program;

13 (6) "pilot program" means the kinship
14 caregiver support pilot program; and

15 (7) "program partner" means a community
16 organization, nonprofit or area foundation in this state that
17 collaborates and partners with the department in the
18 administration of the pilot program.

19 B. The "kinship caregiver support pilot program" is
20 created within the department as a three-year pilot program.
21 The purpose of the pilot program is to:

22 (1) develop and implement the pilot program in
23 communities located within the counties of Rio Arriba, Santa
24 Fe, Taos, McKinley and Dona Ana and serve fifty participants in
25 each of the communities; and

1 (2) improve the lives of children by referring
2 participants to a program partner's monthly economic support
3 program and providing access to services or referrals to help
4 participants and the children cared for and supported by those
5 participants.

6 C. In establishing the pilot program provided in
7 this section, the department, in collaboration with the program
8 partners, shall:

9 (1) develop and implement processes and
10 eligibility criteria for kinship caregivers to apply to, and
11 become participants in, the pilot program. Criteria for
12 consideration shall include a kinship caregiver's current
13 household income and the needs of the child or children that
14 are or will be cared for and supported by the kinship
15 caregiver;

16 (2) determine and establish processes
17 necessary to implement and administer the pilot program;

18 (3) identify and coordinate access to federal,
19 state and local programs and to services and referrals for
20 participants, including legal representation, public assistance
21 and economic support services administered by program partners;

22 (4) determine the requirements necessary to
23 use federal assistance or resources, including Title IV-E of
24 the federal Social Security Act funds, if available;

25 (5) engage with other community organizations

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1 and nonprofit organizations and area foundations to identify
2 the availability for additional resources and funds to provide
3 economic support for participants;

4 (6) develop and approve a budget for:

5 (a) salaries and benefits for staff to
6 assist participants in applying for participation in the pilot
7 program and in accessing additional services available to
8 participants;

9 (b) legal assistance provided to
10 participants who may wish to attain legal custody or kinship
11 guardianship of one or more children; and

12 (c) other costs to the department
13 necessary for the administration of the pilot program;

14 (7) administer the pilot program and
15 collaborate with, and receive technical assistance from, other
16 state agencies, including the early childhood education and
17 care department and any appropriate community or nonprofit
18 organizations;

19 (8) no later than June 1, 2025, promulgate and
20 adopt rules for the administration of the pilot program; and

21 (9) by December 1, 2025 and by December 1 of
22 each subsequent calendar year, and in consultation with the
23 early childhood education and care department and any other
24 appropriate state agency, provide a report to the legislative
25 finance committee assessing the impact and outcomes of the

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1 pilot program and providing department recommendations."

2 SECTION 2. APPROPRIATION.--Four million five hundred
3 thousand dollars (\$4,500,000) is appropriated from the general
4 fund to the aging and long-term services department for
5 expenditure in fiscal years 2026 through 2028 to carry out the
6 provisions of this act. Any unexpended or unencumbered balance
7 remaining at the end of fiscal year 2028 shall revert to the
8 general fund.

9 SECTION 3. EMERGENCY.--It is necessary for the public
10 peace, health and safety that this act take effect immediately.

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