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HOUSE BILL 238

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Luciano "Lucky" Varela

FOR THE WELFARE REFORM OVERSIGHT COMMITTEE

AN ACT

**RELATING TO PUBLIC ASSISTANCE; ENSURING MEDICAID ELIGIBILITY
FOR ALL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES RECIPIENTS;
ELIMINATING HOUSEHOLD GROUPS; ELIMINATING THE STATE HOUSING
SUBSIDY; MODIFYING THE DISREGARDS PERMITTED; AMENDING THE NEW
MEXICO WORKS ACT; DECLARING AN EMERGENCY.**

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

**Section 1. Section 27-2B-3 NMSA 1978 (being Laws 1998,
Chapter 8, Section 3 and Laws 1998, Chapter 9, Section 3, as
amended) is amended to read:**

**"27-2B-3. DEFINITIONS. --As used in the New Mexico Works
Act:**

**A. "benefit group" means ~~[a group of people that
includes at least one dependent child living with his parent,
legal guardian or relative within the fifth degree of~~**

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1 ~~consanguinity; or a pregnant woman~~ a pregnant woman or a
2 group of people that includes a dependent child, all of that
3 dependent child's full, half, step- or adopted siblings living
4 with the dependent child's parent or relative within the fifth
5 degree of consanguinity and the parent with whom the children
6 live;

7 B. "cash assistance" means cash payments funded by
8 the temporary assistance for needy families block grant
9 pursuant to the federal act and by state funds;

10 C. "department" means the human services
11 department;

12 D. "dependent child" means a natural, ~~[or]~~ adopted
13 or step- child or ward who is seventeen years of age or
14 younger or ~~[a household group member]~~ who is eighteen years of
15 age and is enrolled in high school;

16 E. "director" means the director of the income
17 support division of the department;

18 F. "earned income" ~~[includes]~~ means cash or
19 payment in kind that is received as wages from employment or
20 payment in lieu of wages; and earnings from self-employment or
21 earnings acquired from the direct provision of services, goods
22 or property, production of goods, management of property or
23 supervision of services; ~~[and all other income not classified~~
24 ~~as unearned income]~~

25 G. "federal act" means the federal Social Security

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1 Act and rules promulgated pursuant to the Social Security Act;

2 H. "federal poverty guidelines" means the level of
3 income defining poverty by family size published annually in
4 the federal register by the United States department of health
5 and human services;

6 [~~I.~~] "~~household group~~" means a group of people that
7 consists of a benefit group and any other person who resides
8 in a household, regardless of whether they are related or have
9 a legal support responsibility for a member of the benefit
10 group, but does not include:

11 (1) ~~landlords;~~

12 (2) ~~tenants; or~~

13 (3) ~~members of a registered nonprofit~~
14 ~~organization or church who provide shelter to a benefit group~~
15 ~~through a program sponsored by the nonprofit organization or~~
16 ~~church;~~

17 ~~J.]~~ I. "immigrant" means alien as defined in the
18 federal act;

19 [~~K.~~] "~~landlord~~" means the owner of an estate in
20 land or a rental property who has leased it to another person
21 called the tenant

22 ~~L.]~~ J. "parent" means natural parent, adoptive
23 parent, stepparent or legal guardian;

24 [~~M.]~~ K. "participant" means a recipient of cash
25 assistance or services or a member of a benefit group who has

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1 reached the age of majority;

2 [N.] L. "person" means an individual;

3 [O.] M. "secretary" means the secretary of the
4 department;

5 [P.] N. "services" [~~includes~~] means child-care
6 assistance; payment for employment-related transportation
7 costs; job search assistance; employment counseling;
8 employment, education and job training placement; one-time
9 payment for necessary employment-related costs; case
10 management; or other activities whose purpose is to assist
11 transition into employment; and

12 [~~Q.~~] ~~"tenant" means a person who pays rent for the~~
13 ~~use and occupancy of real property owned by a landlord; and~~

14 [R.] O. "unearned income" [~~includes~~] means old age,
15 survivors and disability insurance; railroad retirement
16 benefits; veterans administration compensation or pension;
17 military retirement; pensions, annuities and retirement
18 benefits; lodge or fraternal benefits; shared shelter
19 payments; settlement payments; individual Indian money; [~~and~~
20 ~~similar kinds of income~~] child support; unemployment
21 compensation benefits; union benefits paid in cash; gifts and
22 contributions; and real property income. "

23 Section 2. Section 27-2B-4 NMSA 1978 (being Laws 1998,
24 Chapter 8, Section 4 and also Laws 1998, Chapter 9, Section 4
25 as amended by Laws 1999, Chapter 71, Section 1 and by Laws

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1 1999, Chapter 273, Section 2 and also by Laws 1999, Chapter
2 280, Section 1) is amended to read:

3 "27-2B-4. APPLICATION--RESOURCE PLANNING SESSION--
4 INDIVIDUAL RESPONSIBILITY PLANS--PARTICIPATION AGREEMENT--
5 REVIEW PERIODS.--

6 A. Application for cash assistance or services
7 shall be made to the department's county office in the county
8 or district in which an applicant resides. The application
9 shall be in writing or reduced to writing in the manner and on
10 the form prescribed by the department. The application shall
11 be made under oath by an applicant having custody of or
12 residing with a dependent child who is a [~~household~~] benefit
13 group member and shall contain a statement of the age of the
14 child, residence, a complete statement of the amount of
15 property in which the applicant has an interest, a statement
16 of all income that he and other [~~household~~] benefit group
17 members have at the time of the filing of the application and
18 other information required by the department.

19 B. Application for expedited food stamps shall be
20 made to the department's county office in the county or
21 district in which an applicant resides. The department shall
22 process the application for expedited food stamps within
23 twenty-four hours after the application is made.

24 C. At the time of application for cash assistance
25 and services, an applicant shall identify [~~household group~~

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1 ~~members]~~ everyone who [~~are]~~ is to be counted in the benefit
2 group. Once an application is approved, the participant shall
3 advise the department if there are any changes in the
4 membership of the [~~household group or]~~ benefit group.

5 D. No later than forty-five days after an
6 application is filed, the department shall provide to an
7 applicant a resource planning session to ascertain his
8 immediate needs, assess financial and nonfinancial options,
9 make referrals and act on the application.

10 E. No later than five days after an application is
11 approved, the department shall provide reimbursement for child
12 care.

13 F. Whenever the department receives an application
14 for assistance, a verification and record of the applicant's
15 circumstances shall promptly be made to ascertain the facts
16 supporting the application and to obtain other information
17 required by the department. The verification may include a
18 visit to the home of the applicant, as long as the department
19 gives adequate prior notice of the visit to the applicant.

20 G. Within fifteen days after an application is
21 approved, the department shall assess the education, skills,
22 prior work experience and employability of the participant.

23 H. After the initial assessment of skills, the
24 department shall work with the participant to develop an
25 individual responsibility plan that:

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1 (1) sets forth an employment goal for the
2 participant and a plan for moving the participant into
3 employment;

4 (2) sets forth obligations of the participant
5 that may include a requirement that the participant attend
6 school, maintain certain grades and attendance, keep his
7 school-age children in school, immunize his children or engage
8 in other activities that will help the participant become and
9 remain employed;

10 (3) is designed to the greatest extent
11 possible to move the participant into whatever employment the
12 participant is capable of handling and to provide additional
13 services as necessary to increase the responsibility and
14 amount of work the participant will handle over time;

15 (4) describes the services the department may
16 provide so that the participant may obtain and keep
17 employment; and

18 (5) may require the participant to undergo
19 appropriate substance abuse treatment.

20 I. The participant and a representative of the
21 department shall sign the participant's individual
22 responsibility plan. The department shall not allow a
23 participant to decline to participate in developing an
24 individual responsibility plan. The department shall not
25 waive the requirement that a participant develop an individual

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1 responsibility plan. The department shall emphasize the
2 importance of the individual responsibility plan to the
3 participant.

4 J. If a participant does not develop an individual
5 responsibility plan, refuses to sign an individual
6 responsibility plan or refuses to attend semiannual reviews of
7 an individual responsibility plan, he shall be required to
8 enter into a conciliation pursuant to Subsection C of Section
9 27-2B-14 NMSA 1978. If the participant persists in
10 noncompliance with the individual responsibility plan process
11 after the conciliation, he shall be subject to sanctions
12 pursuant to Section 27-2B-14 NMSA 1978.

13 K. The participant shall also sign a participation
14 agreement that designates the number of hours that he must
15 participate in work activities to meet participation
16 standards.

17 L. The department shall review the current
18 financial eligibility of a benefit group when the department
19 reviews food stamp eligibility.

20 M. The department shall meet semiannually with a
21 participant to review and revise his individual responsibility
22 plan.

23 N. The department shall develop a complaint
24 procedure to address issues pertinent to the delivery of
25 services and other issues relating to a participant's

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1 individual responsibility plan. "

2 Section 3. Section 27-2B-6 NMSA 1978 (being Laws 1998,
3 Chapter 8, Section 6 and Laws 1998, Chapter 9, Section 6) is
4 amended to read:

5 "27-2B-6. DURATIONAL LIMITS. --

6 A. Pursuant to the federal act, on or after July
7 1, 1997 a participant may receive federally funded cash
8 assistance and services for up to sixty months.

9 B. During a participant's fourth, sixth and eighth
10 semi-annual reviews, the department shall examine the
11 participant's progress to determine if the participant has
12 successfully completed an educational or training program or
13 increased the number of hours he is working as required by the
14 federal act. The department may refer the participant to
15 alternative work activities or provide additional services to
16 address possible barriers to employment facing the
17 participant.

18 C. Up to twenty percent of the population of
19 participants may be exempted from the sixty-month durational
20 limit set out in Subsection A of this section because of
21 hardship or because those participants are battered or subject
22 to extreme cruelty.

23 D. For the purposes of this section, a participant
24 has been battered or subjected to extreme cruelty if he can
25 demonstrate by reliable medical, psychological or mental

1 reports, court orders or police reports that he has been
2 subjected to and currently is affected by:

3 (1) physical acts that result in physical
4 injury;

5 (2) sexual abuse;

6 (3) being forced to engage in nonconsensual
7 sexual acts or activities;

8 (4) threats or attempts at physical or sexual
9 abuse;

10 (5) mental abuse; or

11 (6) neglect or deprivation of medical care
12 except when the deprivation is based by mutual consent on
13 religious grounds.

14 E. For the purposes of this section, a hardship
15 exception applies to a person who demonstrates through
16 reliable medical, psychological or mental reports, social
17 security administration records, court orders or police
18 reports that he is a person:

19 (1) who is barred from engaging in a work
20 activity because he is temporarily or completely disabled;

21 (2) who is the sole provider of home care to
22 an ill or disabled family member; [or]

23 (3) whose ability to be gainfully employed is
24 affected by domestic violence; or

25 (4) whose application for supplemental

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1 security income is pending in the application or appeals
2 process.

3 F. Pursuant to the federal act, the department
4 shall not count a month of receipt of cash assistance or
5 services toward the sixty-month durational limit if during the
6 time of receipt the participant:

7 (1) was a minor and was not the head of a
8 household or married to the head of a household; or

9 (2) lived in Indian country, as defined in
10 the federal act, if the most reliable data available with
11 respect to the month indicate that at least fifty percent of
12 the adults living in Indian country or in the village were not
13 employed. "

14 Section 4. Section 27-2B-7 NMSA 1978 (being Laws 1998,
15 Chapter 8, Section 7 and Laws 1998, Chapter 9, Section 7, as
16 amended) is amended to read:

17 "27-2B-7. FINANCIAL STANDARD OF NEED. --

18 A. The secretary shall adopt a financial standard
19 of need based upon the availability of federal and state funds
20 and based upon appropriations by the legislature of the
21 available federal temporary assistance for needy families
22 grant made pursuant to the federal act in the following
23 categories:

24 (1) cash assistance;

25 (2) child-care services;

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- 1 (3) other services; and
- 2 (4) administrative costs.

3 The legislature shall determine the actual percentage of each
4 category to be used annually of the federal temporary
5 assistance for needy families grant made pursuant to the
6 federal act.

7 ~~[B. Only a benefit group receiving a cash benefit~~
8 ~~of seventy-five dollars (\$75.00) or greater, excluding any~~
9 ~~housing subsidy payment, and who are not living in government-~~
10 ~~subsidized housing or receiving government-subsidized housing~~
11 ~~payments shall receive an additional housing allowance of~~
12 ~~fifty dollars (\$50.00) per month.~~

13 ~~C.]~~ B. The following income sources are exempt
14 from the gross income test, the net income test and the cash
15 payment calculation:

- 16 (1) medicaid;
- 17 (2) food stamps;
- 18 (3) government-subsidized foster care [~~and~~
19 ~~adoption~~] payments if the child for whom the payment is
20 received is also excluded from the benefit group;
- 21 (4) supplemental security income;
- 22 (5) government-subsidized housing or housing
23 payments;
- 24 (6) federally excluded income;
- 25 (7) educational payments made directly to an

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1 educational institution;

2 (8) government-subsidized child care;

3 (9) earned [~~and unearned~~] income that belongs
4 to a person seventeen years of age or younger who is not the
5 head of household;

6 [~~(10) for the first two years of receiving~~
7 ~~cash assistance or services, if a participant works over the~~
8 ~~work requirement rate set by the department pursuant to the~~
9 ~~New Mexico Works Act, one hundred percent of the income earned~~
10 ~~by the participant beyond that rate;~~

11 [~~(11) for the first two years of receiving~~
12 ~~cash assistance or services, for a two-parent benefit group in~~
13 ~~which one parent works over thirty-five hours per week and the~~
14 ~~other works over twenty-four hours per week, one hundred~~
15 ~~percent of income earned by each participant beyond the work~~
16 ~~requirement rate set by the department;~~

17 [~~(12) unearned income that belongs to the~~
18 ~~household group but not to the benefit group;~~

19 [~~(13)~~] (10) fifty dollars (\$50.00) of
20 collected child support passed through to the participant by
21 the department's child support enforcement program; and

22 [~~(14)~~] (11) other income sources as
23 determined by the department.

24 [D. ~~Earned income over one hundred thirty percent~~]

25 C. The total countable gross earned and unearned

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1 income of the benefit group cannot exceed eighty-five percent
2 of the federal poverty guidelines [~~that belongs to the~~
3 ~~household group but not to the benefit group is countable~~
4 ~~income. The department shall count the entire household group~~
5 ~~to determine family size when applying the federal poverty~~
6 ~~guidelines~~

7 ~~E. The department shall count the entire household~~
8 ~~group to determine family size when applying the financial~~
9 ~~standard of need.] for the size of the benefit group.~~

10 D. For a benefit group to be eligible to
11 participate:

12 (1) gross countable [earned] income that
13 belongs to the [~~household group but not to the~~] benefit group
14 must not exceed [~~one hundred~~] eighty-five percent of the
15 [~~financial standard of need~~] federal poverty guidelines for
16 the size of the benefit group; and

17 (2) net countable [earned] income that
18 belongs to the [~~household~~] benefit group must not equal or
19 exceed the financial standard of need after applying the
20 disregards set out in Paragraphs (1) through (4) of Subsection
21 [F] E of this section.

22 [~~F. Subject to the availability of state and~~
23 ~~federal funds~~]

24 E. The department shall determine the cash payment
25 of the benefit group by applying the following disregards to

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1 the benefit group's earned gross income and then subtracting
2 that amount from the benefit group's financial standard of
3 need:

4 [~~(1) one hundred fifty dollars (\$150)~~]

5 (1) for the first two years of receiving cash
6 assistance or services, if a participant works over the work
7 requirement rate set by the department pursuant to the New
8 Mexico Works Act, one hundred percent of the income earned by
9 the participant beyond that rate;

10 (2) for the first two years of receiving cash
11 assistance or services, for a two-parent benefit group in
12 which one parent works over thirty-five hours per week and the
13 other works over twenty-four hours per week, one hundred
14 percent of income earned by each participant beyond the work
15 requirement rate set by the department;

16 (3) one hundred twenty-five dollars (\$125) of
17 monthly earned income and one-half of the remainder, or for a
18 two-parent family, [~~two hundred fifty dollars (\$250)~~] two
19 hundred twenty-five dollars (\$225) of monthly earned income
20 and one-half of the remainder for each parent;

21 [~~(2)~~] (4) monthly payments made for child
22 care at a maximum of two hundred dollars (\$200) for a child
23 under two years of age and at a maximum of one hundred
24 seventy-five dollars (\$175) for a child two years of age or
25 older;

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1 [~~3~~] (5) costs of self-employment income;

2 and

3 [~~4~~] (6) business expenses.

4 [~~6~~] F. The department may recover overpayments of
5 cash assistance on a monthly basis not to exceed fifteen
6 percent of the financial standard of need applicable to the
7 benefit group. "

8 Section 5. Section 27-2B-8 NMSA 1978 (being Laws 1998,
9 Chapter 8, Section 8 and Laws 1998, Chapter 9, Section 8) is
10 amended to read:

11 "27-2B-8. RESOURCES. --

12 A. Liquid and nonliquid resources owned by the
13 [~~household group but not by the~~] benefit group shall [~~not~~] be
14 counted in the eligibility determination.

15 B. A benefit group may at a maximum own the
16 following resources:

17 (1) two thousand dollars (\$2,000) in
18 nonliquid resources;

19 (2) one thousand five hundred dollars
20 (\$1,500) in liquid resources;

21 (3) the value of the principal residence of
22 the participant;

23 (4) the value of burial plots and funeral
24 contracts for family members;

25 (5) individual development accounts;

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1 (6) the value of work-related equipment up to
2 one thousand dollars (\$1,000);

3 (7) in areas without public transportation,
4 the value of one motor vehicle for each participant engaged in
5 a work activity; and

6 (8) in areas with public transportation, the
7 value of one motor vehicle."

8 Section 6. Section 27-2B-11 NMSA 1978 (being Laws 1998,
9 Chapter 8, Section 11 and Laws 1998, Chapter 9, Section 11) is
10 amended to read:

11 "27-2B-11. INELIGIBILITY. --

12 A. The following are ineligible to be members of a
13 benefit group:

14 (1) an inmate or patient of a nonmedical
15 institution;

16 (2) a person who, in the two years preceding
17 application, assigned or transferred real property unless he:

18 (a) received or receives a reasonable
19 return;

20 (b) attempted to or attempts to receive
21 a reasonable return; or

22 (c) attempted to or attempts to regain
23 title to the real property;

24 (3) a minor unmarried parent who has not
25 successfully completed a high school education and who has a

1 child at least twelve weeks of age in his care unless the
2 minor unmarried parent:

3 (a) participates in educational
4 activities directed toward the attainment of a high school
5 diploma or its equivalent; or

6 (b) participates in an alternative
7 educational or training program that has been approved by the
8 department;

9 (4) a minor unmarried parent who is not
10 residing in a place of residence maintained by his parent,
11 legal guardian or other adult relative unless the department:

12 (a) refers or locates the minor
13 unmarried parent to a second-chance home, maternity home or
14 other appropriate adult-supervised supportive living
15 arrangement, taking into account the needs and concerns of the
16 minor unmarried parent;

17 (b) determines that the minor unmarried
18 parent has no parent, legal guardian or other appropriate
19 adult relative who is living or whose whereabouts are known;

20 (c) determines that a minor unmarried
21 parent is not allowed to live in the home of a living parent,
22 legal guardian or other appropriate adult relative;

23 (d) determines that the minor unmarried
24 parent is or has been subjected to serious physical or
25 emotional harm, sexual abuse or exploitation in the home of

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1 the parent, legal guardian or other appropriate adult
2 relative;

3 (e) finds that substantial evidence
4 exists of an act or a failure to act that presents an imminent
5 or serious harm to the minor unmarried parent and the child of
6 the minor unmarried parent if they live in the same residence
7 with the parent, legal guardian or other appropriate adult
8 relative; or

9 (f) determines that it is in the best
10 interest of the unmarried minor parent to waive this
11 requirement;

12 (5) a minor child who has been absent or is
13 expected to be absent from the home for forty-five days;

14 (6) a person who does not provide a social
15 security number or who refuses to apply for one;

16 (7) a person who is not a resident of New
17 Mexico;

18 (8) a person who fraudulently misrepresented
19 residency to receive assistance in two or more states
20 simultaneously except that such person shall be ineligible
21 only for ten years;

22 (9) for five years following the date of
23 release from any federal or state prison or county jail or
24 following the date of completion of the terms of probation, a
25 person convicted of a drug-related felony on or after August

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1 22, 1996; however, the cash assistance of the other members of
2 his assistance group shall be reduced only by the amount to
3 which he otherwise would be entitled;

4 (10) a person who is a fleeing felon or a
5 probation and parole violator;

6 (11) a person concurrently receiving
7 supplemental security income, tribal temporary assistance for
8 needy families or bureau of Indian affairs general assistance
9 [~~or adoption subsidies~~]; and

10 (12) unless he demonstrates good cause, a
11 parent who does not assist the department in establishing
12 paternity or obtaining child support or who does not assign
13 support rights to New Mexico as required pursuant to the
14 federal act.

15 B. At the time of application, a participant shall
16 state in writing whether he or another member of the benefit
17 group has been convicted on or after August 22, 1996 of a
18 drug-related felony.

19 C. A person convicted of a drug-related felony may
20 be eligible to receive services if the department in
21 consultation with the corrections department determines that
22 services would enhance his rehabilitation and employment
23 success.

24 D. For the purposes of this section, "second-
25 chance home" means an entity that provides a supportive and

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1 supervised living arrangement to a minor unmarried parent
2 where the minor unmarried parent is required to learn
3 parenting skills, including child development, family
4 budgeting, health and nutrition and other skills to promote
5 long-term economic independence and the well-being of
6 children. "

7 Section 7. Section 27-2B-14 NMSA 1978 (being Laws 1998,
8 Chapter 8, Section 14 and Laws 1998, Chapter 9, Section 14) is
9 amended to read:

10 "27-2B-14. SANCTIONS. --

11 A. The department shall sanction a member of [~~the~~]
12 a benefit group for noncompliance with work requirements [~~and~~]
13 or child support requirements.

14 B. The sanction shall be applied at the following
15 levels:

16 (1) twenty-five percent reduction of cash
17 assistance for the first occurrence of noncompliance;

18 (2) fifty percent reduction of cash
19 assistance for the second occurrence of noncompliance; and

20 (3) termination of cash assistance and
21 ineligibility to reapply for six months for the third
22 occurrence of noncompliance.

23 C. Prior to imposing the first sanction, if the
24 department determines that a participant is not complying with
25 the work participation requirement or child support

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1 requirements, the participant shall be required to enter into
2 a conciliation process established by the department to
3 address the noncompliance and to identify good cause for
4 noncompliance or barriers to compliance. The conciliation
5 process shall occur only once prior to the imposition of the
6 sanction. [~~If the participant fails to participate in the~~
7 ~~conciliation process within ten days of receiving notice, the~~
8 ~~sanction shall be imposed.~~] The participant shall have ten
9 working days from the date a conciliation notice is mailed to
10 contact the department to initiate the conciliation process.
11 A participant who fails to initiate the conciliation process
12 shall have a notice of adverse action mailed to him after the
13 tenth working day following the date on which the conciliation
14 notice is mailed. Participants who begin but do not complete
15 the conciliation process shall be mailed a notice of adverse
16 action thirty days from the date the original conciliation
17 notice was mailed.

18 D. Reestablishing compliance [~~with~~] shall allow
19 full payment to resume.

20 [~~E. Within ten days of a failure to comply with a~~
21 ~~requirement, a notice of action shall be mailed to the~~
22 ~~participant. A participant is in sanction status when the~~
23 ~~notice of action is mailed. The sanction is imposed on the~~
24 ~~first day of the month following the month in which the notice~~
25 ~~of action is mailed to the participant.~~

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1 ~~F.-]~~ E. Noncompliance with reporting requirements
2 may subject a participant to other sanctions.

3 F. The department shall not terminate the medicaid
4 benefits of any member of a benefit group due to imposition of
5 a sanction pursuant to the provisions of this section."

6 Section 8. Section 27-2B-15 NMSA 1978 (being Laws 1998,
7 Chapter 8, Section 15 and Laws 1998, Chapter 9, Section 15) is
8 amended to read:

9 "27-2B-15. MEDICAID ELIGIBILITY. --

10 A. The following are eligible for medicaid:

11 ~~[A. a benefit group that meets the requirements of~~
12 ~~New Mexico's aid to families with dependent children as they~~
13 ~~existed on July 16, 1996;~~

14 ~~B.-]~~ (1) a participant who is in transition to
15 self-sufficiency due to employment or child support;

16 ~~[C.-]~~ (2) a pregnant woman who meets the
17 income and resource requirements for New Mexico's aid to
18 families with dependent children as they existed on July 16,
19 1996;

20 ~~[D.-]~~ (3) a member of a benefit group who is
21 eighteen years of age or younger if the benefit group's income
22 is below one hundred eighty-five percent of the federal
23 poverty guidelines;

24 ~~[E.-]~~ (4) a pregnant woman whose income is
25 below one hundred eighty-five percent of the federal poverty

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1 guidelines;

2 [F-] (5) participants receiving federal
3 supplemental security income;

4 [G-] (6) an aged, blind or disabled person in
5 an institution who meets all the supplemental security income
6 standards except for income;

7 [H-] (7) a person who meets all standards for
8 institutional care but is cared for at home and meets
9 eligibility standards for medicaid;

10 [I-] (8) a qualified medicare beneficiary,
11 qualified disabled working person or specified low-income
12 medicare beneficiary; and

13 [J-] (9) a foster child in the custody of the
14 state or of an Indian pueblo, tribe or nation who meets
15 eligibility standards for medicare.

16 B. A benefit group that is eligible to receive
17 cash assistance pursuant to the New Mexico Works Act is deemed
18 to meet the requirements of New Mexico's aid to families with
19 dependent children as they existed on July 16, 1996 and is
20 eligible for medicaid."

21 Section 9. EMERGENCY.--It is necessary for the public
22 peace, health and safety that this act take effect
23 immediately.

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