

HOUSE BILL 252

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

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

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; ~~HAFC MAKING AN APPROPRIATION;~~ HAFC 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:

.229418.3AIC February 24, 2025 (9:11pm)

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"[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;

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

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

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

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

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

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

B. The "kinship caregiver support pilot program" is

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created within the department as a three-year pilot program.

The purpose of the pilot program is to:

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

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

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

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

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

(3) identify and coordinate access to federal, state and local programs and to services and referrals for

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participants, including legal representation, public assistance and economic support services administered by program partners;

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

(5) engage with other community organizations and nonprofit organizations and area foundations to identify the availability for additional resources and funds to provide economic support for participants;

(6) develop and approve a budget for:

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

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

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

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

(8) no later than June 1, 2025, promulgate and

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adopt rules for the administration of the pilot program; and

(9) by December 1, 2025 and by December 1 of each subsequent calendar year, and in consultation with the early childhood education and care department and any other appropriate state agency, provide a report to the legislative finance committee assessing the impact and outcomes of the pilot program and providing department recommendations."

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

SECTION H AFC → ~~3.~~ ← H AFC H AFC → ~~2.~~ ← H AFC EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.