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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; 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:

"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

1 for a child in this state who is a New Mexico resident and  
2 who participates in the pilot program;

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

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

9 B. The "kinship caregiver support pilot program"  
10 is created within the department as a three-year pilot  
11 program. The purpose of the pilot program is to:

12 (1) develop and implement the pilot program  
13 within five to seven counties in the state and serve fifty  
14 participants in each of the communities; and

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

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

23 (1) develop and implement processes and  
24 eligibility criteria for kinship caregivers to apply to, and  
25 become participants in, the pilot program. Criteria for

1 consideration shall include a kinship caregiver's current  
2 household income and the needs of the child or children that  
3 are or will be cared for and supported by the kinship  
4 caregiver;

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

7 (3) identify and coordinate access to  
8 federal, state and local programs and to services and  
9 referrals for participants, including legal representation,  
10 public assistance and economic support services administered  
11 by program partners;

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

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

20 (6) develop and approve a budget for:

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

25 (b) legal assistance provided to

1 participants who may wish to attain legal custody or kinship  
2 guardianship of one or more children; and

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

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

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

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

19 SECTION 2. EMERGENCY.--It is necessary for the public  
20 peace, health and safety that this act take effect  
21 immediately. \_\_\_\_\_