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FISCAL IMPACT REPORT

SPONSOR Martinez, R. C. **ORIGINAL DATE** 01/30/14
LAST UPDATED _____ **HB** _____

SHORT TITLE Study Grandparents Raising Grandchildren **SJM** 14

ANALYST Klundt

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY14	FY15		
\$0.0	\$0.0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children, Youth and Families Department (CYFD)

Human Services Department (HSD)

SUMMARY

Synopsis of Bill

Senate Joint Memorial 14 (SJM 14) charges Children, Youth and Families Department (CYFD) with conducting a study of grandparents raising grandchildren in New Mexico, including an examination of issues affecting custody and guardianship and the availability of resources and assistance, including financial resources, legal services, food and housing assistance; community based organizations and programs related to medical care, transportation and education. The joint memorial further requires input from the Human Services Department (HSD) and the Public Education Department (PED). The results of the study are to be reported to the legislative health and human services committee by October 2014.

FISCAL IMPLICATIONS

This joint memorial has no appropriation and has identified no additional fiscal implications.

SIGNIFICANT ISSUES

According to the 2010 U.S. Census, there are 56,990 children in New Mexico who live with grandparent households. Of those, 30,022 children live in homes where grandparents are

responsible for them and are the primary caregivers. Of these children, 9,278 have no parents present in the home, meaning that grandparents are the sole caregivers for the children, often without legal custody.

There does not appear to ever have been a comprehensive systematic study of the resources and assistance available to grandparents raising grandchildren in New Mexico. The CYFD states that the agency does not have oversight of grandparents raising grandchildren, and does not administer most of the programs that this study would review. The Protective Services Division of CYFD does license grandparents who are providing foster care to grandchildren, however the department states that this represents a very small number of those being raised by grandparents.

The Human Services Department (HSD) states that grandparents who are raising grandchildren can apply for a child-only Temporary Assistance for Needy Families (TANF) grants through the Income Support Division if they do not want to receive benefits for themselves. Qualification depends on the child's income and the fact that no parent lives in the home. HSD has many grandparents who receiving this type of assistance due to referrals from the CYFD.

Under the new Affordable Care Act, the income from the grandparents would fall under one of the tax filing exemptions and therefore their income would not be included for the children's Medicaid. HSD also reported that the agency would include grandparents' income for eligibility for both Supplemental Nutrition Assistance Program (SNAP) and Low Income Home Energy Assistance Program (LIHEAP). SNAP offers nutrition assistance to, low-income individuals and families. LIHEAP offers several programs in New Mexico such as the Silver Horizon program which provides assistance for heating and water bills in Bernalillo County for residents age 60 and older who have received a disconnection notice. The HSD reports that these programs are currently being utilized for grandparents who receive this type of assistance for grandchildren.

Nationally, the Grandfamilies State Law and Policy Resource Center was formed from by the National Bar Association and the Casey Family Program to serve as a national legal resource in support of grandparents raising grandchildren within and outside the child welfare system. This type of national resource may be use for this study. The center's goals are to:

- educate individuals about state laws, legislation and policy in support of grandfamilies
- assist interested policymakers, advocates, caregivers, and attorneys in exploring policy options to support relatives and the children in their care
- provide technical assistance and training

ADMINISTRATIVE IMPLICATIONS

This joint memorial requires program management from within CYFD's existing resources. The agency states that it is not the parent agency for many of the programs which serve the population to be studied, and may be necessary to work closely with other agencies and departments whom the joint memorial has not identified as required participants.

KK/svb