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SENATE BILL 114

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Leonard Lee Rawson

FOR THE WELFARE REFORM OVERSIGHT COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING THE NEW MEXICO WORKS ACT TO CLARIFY THE INDIVIDUAL RESPONSIBILITY PLAN.

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

Section 1. Section 27-2B-4 NMSA 1978 (being Laws 1998, Chapter 8, Section 4 and Laws 1998, Chapter 9, Section 4) is amended to read:

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

A. Application for cash assistance or services shall be made to the department's county office in the county or district in which an applicant resides. The application shall be in writing or reduced to writing in the manner and on the form prescribed by the department. The application shall

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1 be made under oath by an applicant having custody of or
2 residing with a dependent child who is a household group
3 member and shall contain a statement of the age of the child,
4 residence, a complete statement of the amount of property in
5 which the applicant has an interest, a statement of all income
6 that he and other household group members have at the time of
7 the filing of the application and other information required
8 by the department.

9 B. Application for expedited food stamps shall be
10 made to the department's county office in the county or
11 district in which an applicant resides. The department shall
12 process the application for expedited food stamps within
13 twenty-four hours after the application is made.

14 C. At the time of application for cash assistance
15 and services, an applicant shall identify household group
16 members who are to be counted in the benefit group. Once an
17 application is approved, the participant shall advise the
18 department if there are any changes in the membership of the
19 household group or benefit group.

20 D. No later than forty-five days after an
21 application is filed, the department shall provide to an
22 applicant a resource planning session to ascertain his
23 immediate needs, assess financial and nonfinancial options,
24 make referrals and act on the application.

25 E. No later than five days after an application is

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1 approved, the department shall provide reimbursement for child
2 care.

3 F. Whenever the department receives an application
4 for assistance, a verification and record of the applicant's
5 circumstances shall promptly be made to ascertain the facts
6 supporting the application and to obtain other information
7 required by the department. The verification may include a
8 visit to the home of the applicant, as long as the department
9 gives adequate prior notice of the visit to the applicant.

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

13 H. After the initial assessment of skills, the
14 department shall work with the participant to develop an
15 individual responsibility plan that:

16 (1) sets forth an employment goal for the
17 participant and a plan for moving the participant into
18 employment;

19 (2) sets forth obligations of the participant
20 that may include a requirement that the participant attend
21 school, maintain certain grades and attendance, keep his
22 school-age children in school, immunize his children or engage
23 in other activities that will help the participant become and
24 remain employed;

25 (3) is designed to the greatest extent

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1 possible to move the participant into whatever employment the
2 participant is capable of handling and to provide additional
3 services as necessary to increase the responsibility and
4 amount of work the participant will handle over time;

5 (4) describes the services the department may
6 provide so that the participant may obtain and keep
7 employment; and

8 (5) may require the participant to undergo
9 appropriate substance abuse treatment.

10 I. The participant and a representative of the
11 department shall sign the participant's individual
12 responsibility plan. The department shall not allow a
13 participant to decline to participate in developing an
14 individual responsibility plan. The department shall not
15 wave the requirement that a participant develop an individual
16 responsibility plan. The department shall emphasize the
17 importance of the individual responsibility plan to the
18 participant.

19 J. If a participant does not develop an individual
20 responsibility plan, refuses to sign an individual
21 responsibility plan or refuses to attend semiannual reviews of
22 an individual responsibility plan, he shall be required to
23 enter into a conciliation pursuant to Subsection C of Section
24 27-2B-14 NMSA 1978. If the participant persists in
25 noncompliance with the individual responsibility plan process

1 after the conciliation, he shall be subject to sanctions
2 pursuant to Section 27-2B-14 NMSA 1978.

3 [~~J-~~] K. The participant shall also sign a
4 participation agreement that designates the number of hours
5 that he must participate in work activities to meet
6 participation standards.

7 [~~K-~~] L. The department shall review the current
8 financial eligibility of a benefit group when the department
9 reviews food stamp eligibility.

10 [~~L-~~] M. The department shall meet semi annually
11 with a participant to review and revise his individual
12 responsibility plan.

13 [~~M-~~] N. The department shall develop a complaint
14 procedure to address issues pertinent to the delivery of
15 services and other issues relating to a participant's
16 individual responsibility plan. "

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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5 March 1, 1999

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7 Mr. President:

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9 Your PUBLIC AFFAIRS COMMITTEE, to whom has been
10 referred
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13 SENATE BILL 114

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15 has had it under consideration and reports same with
16 recommendation that it DO PASS, and thence referred to the
17 JUDICIARY COMMITTEE.

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19 Respectfully submitted,
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Shannon Robinson, Chairman

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Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Garcia, Ingle, Stockard, Smith

Absent: None

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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 10, 1999
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8 Mr. President:
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10 Your JUDICIARY COMMITTEE, to whom has been referred
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12 SENATE BILL 114
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14 has had it under consideration and reports same with
15 recommendation that it DO PASS.
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18 Respectfully submitted,
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23 _____
24 Michael S. Sanchez, Chairman
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Adopted _____ Not

1 Adopted _____

2 (Chief Clerk)

(Chief Clerk)

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6 Date _____

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9 The roll call vote was 7 For 0 Against

10 Yes: 7

11 No: None

12 Excused: Aragon

13 Absent: None

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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 17, 1999
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8 Mr. Speaker:
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10 Your APPROPRIATIONS AND FINANCE COMMITTEE, to
11 whom has been referred
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13 SENATE BILL 114
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15 has had it under consideration and reports same with
16 recommendation that it DO PASS.

17 Respectfully submitted,
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22 Max Coll, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

Page 11

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Abeyta, Heaton, Larrañaga, Marquardt, Parsons, Pearce,
Salazar, Townsend

Absent: None

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