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SENATE BILL 553

**46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004**

INTRODUCED BY

Linda M. Lopez

FOR THE WELFARE REFORM OVERSIGHT COMMITTEE

AN ACT

RELATING TO PUBLIC ASSISTANCE; PROVIDING FOR AT-HOME CARE FOR  
INFANTS OF LOW-INCOME FAMILIES; ENACTING THE AT-HOME INFANT  
CARE ACT; MAKING AN APPROPRIATION.

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

Section 1. SHORT TITLE.--This act may be cited as the  
"At-Home Infant Care Act".

Section 2. DEFINITIONS.--As used in the At-Home Infant  
Care Act:

- A. "department" means the children, youth and families department;
- B. "infant" means a child who is twenty-four months of age or less; and
- C. "parent" means an adult caretaker with ongoing physical custody of an infant.

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1           Section 3. AT-HOME INFANT CARE PILOT PROGRAM.--

2           A. The at-home infant care program shall be created  
3 so that fifty adults may participate in a pilot program. The  
4 families shall be located in both urban and rural areas of the  
5 state, with at least equal emphasis on recruiting rural  
6 participants.

7           B. The at-home infant care program provides a  
8 lifetime maximum of twenty-four months of at-home infant care  
9 benefits to a parent who provides care for an infant at home.

10          C. At-home infant care benefits shall be paid by  
11 the department to an eligible parent at a rate equivalent to  
12 the average of child care reimbursement rates for toddler and  
13 preschool child care provided in registered homes and licensed  
14 family homes in the community in which the at-home infant care  
15 is being provided.

16          D. If other children in the family are eligible for  
17 state child care assistance and are in physical custody of the  
18 parent participating in the at-home infant care program, the  
19 parent shall not receive state child care assistance for those  
20 children. Other children in the physical custody of the parent  
21 may be cared for by the parent participating in the at-home  
22 infant care program.

23          E. The family may receive temporary assistance for  
24 needy families services and cash assistance, if eligible, while  
25 participating in the at-home infant care program. Except for

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1 child care assistance, the family may receive food stamps,  
2 medicaid and other state or federal assistance while  
3 participating in the at-home infant care program.

4 F. Provision of at-home infant care shall be  
5 considered a work activity for purposes of the New Mexico Works  
6 Act and for temporary assistance for needy families.

7 G. Adult members of the family shall receive  
8 parenting and early childhood education training approved by  
9 the department as required by the department. To enable the  
10 parent who is providing at-home infant care to attend parenting  
11 and early childhood training, the department shall provide  
12 transportation or mileage, cover the costs of lodging if  
13 lodging is a necessary expense and provide alternative child  
14 care while the parent is in training.

15 Section 4. ELIGIBILITY.--

16 A. A family is eligible to participate in the at-  
17 home infant care program if the family:

18 (1) meets the income eligibility requirements  
19 to receive state child care assistance;

20 (2) includes parents who are at least eighteen  
21 years of age who have completed high school or received a  
22 general educational development certificate pursuant to Section  
23 22-2-8.8 NMSA 1978;

24 (3) has not exhausted its lifetime permissible  
25 at-home infant care benefits by receiving a total of twenty-

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four months of at-home infant care benefits; and

(4) has physical custody of an infant.

Section 5. APPROPRIATION.--One hundred eighty thousand dollars (\$180,000) is appropriated from temporary assistance for needy families maintenance of effort funds to the children, youth and families department for expenditure in fiscal year 2005 to fund the at-home infant care pilot program.