

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 234

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO PUBLIC ASSISTANCE; REQUIRING A RESPONSE FROM THE HUMAN SERVICES DEPARTMENT TO A RECIPIENT'S REQUEST FOR NOTICE OF EXPIRATION OF PUBLIC BENEFITS.

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

Section 1. A new section of the Public Assistance Act is enacted to read:

"~~[NEW MATERIAL]~~ ELIGIBLE PERSON ENTITLED TO NOTICE.--A recipient is entitled to notice of expiration of medicaid benefits when the recipient or the recipient's guardian, custodian or other authorized representative files a request for notice of expiration of benefits with the human services department. The department shall respond to a request for notice of expiration of benefits within five business days of receipt of the request made on a form the department shall

.163998.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 devise and make available to a recipient. The response shall
2 be by physical mail, electronic mail or facsimile or by data
3 input into a department-authorized web site."

4 Section 2. Section 27-2-7 NMSA 1978 (being Laws 1973,
5 Chapter 376, Section 10, as amended by Laws 1998, Chapter 8,
6 Section 27 and also by Laws 1998, Chapter 9, Section 27) is
7 amended to read:

8 "27-2-7. GENERAL ASSISTANCE PROGRAM--QUALIFICATIONS AND
9 PAYMENTS.--

10 A. Subject to the availability of state funds,
11 public assistance shall be provided under a general assistance
12 program to or on behalf of eligible persons who:

13 (1) are under eighteen years of age and meet
14 all eligibility conditions for the New Mexico Works Act except
15 the relationship to the person with whom they are living;

16 (2) are over the age of eighteen and are
17 disabled, according to rules of the department, and are not
18 receiving cash assistance or services pursuant to the New
19 Mexico Works Act;

20 (3) meet the qualifications under other rules
21 for the general assistance program as the department shall
22 establish; or

23 (4) are lawful resident immigrants who would
24 otherwise be eligible for cash assistance or services pursuant
25 to the New Mexico Works Act except that they began residing in

.163998.1

underscoring material = new
[bracketed material] = delete

1 the United States after August 22, 1996.

2 B. General assistance program payments may be made
3 directly to the recipient or to the vendor of goods or services
4 provided to the recipient. The department may by rule limit
5 the grants that are made to general assistance recipients.

6 C. Whenever the department makes an adjustment in
7 the standard of need for the New Mexico Works Act, subject to
8 the availability of state funds, it shall make a commensurate
9 adjustment in the standard of need for the general assistance
10 program.

11 D. When the department receives a request for
12 notice of expiration of benefits from a recipient, it shall
13 provide such notice to the recipient and other persons
14 authorized by the recipient to receive notice within five days
15 of the submission of the request, informing the recipient or
16 the recipient's designee of the current expiration date of
17 benefits."

18 - 3 -

19
20
21
22
23
24
25

.163998.1