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HOUSE MEMORIAL 18

**55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022**

INTRODUCED BY

Elizabeth "Liz" Thomson

A MEMORIAL

REQUESTING THE HUMAN SERVICES DEPARTMENT TO REPORT ON  
SUPPLEMENTAL SECURITY INCOME LEGAL ADVOCACY PROJECT DATA.

WHEREAS, almost one in five New Mexicans live at or below  
the federal poverty level; and

WHEREAS, the federal centers for disease control and  
prevention report that twenty-eight percent of adults, or four  
hundred sixty thousand three hundred fifty-five New Mexicans,  
live with a disability; and

WHEREAS, the poverty rate for people living with  
disabilities in New Mexico is twenty-three and four-tenths  
percent, the sixth highest in the nation, according to the  
human services department; and

WHEREAS, New Mexico's general assistance for disabled  
adults and unrelated children program is funded with seven

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1 million two hundred twenty thousand dollars (\$7,220,000) in  
2 general fund dollars annually; and

3 WHEREAS, New Mexico provides a maximum monthly cash  
4 assistance benefit of two hundred forty-five dollars (\$245)  
5 through the general assistance for disabled adults and  
6 unrelated children program to childless disabled adults, which  
7 is twenty-two percent of the federal poverty level; and

8 WHEREAS, the legislative finance committee has found that  
9 general assistance for disabled adults and unrelated children,  
10 even when coupled with food and medical assistance, is not  
11 sufficient to meet basic needs; and

12 WHEREAS, supplemental security income is the nation's  
13 federally funded safety net for adults with disabilities,  
14 providing up to eight hundred forty-one dollars (\$841) per  
15 month to an individual in 2022; and

16 WHEREAS, New Mexicans who transition from general  
17 assistance to supplemental security income more than triple  
18 their monthly income, increasing their ability to afford  
19 housing, food and other basic needs; and

20 WHEREAS, the federal government repays general assistance  
21 for disabled adults and unrelated children paid to New Mexicans  
22 who transition from general assistance for disabled adults and  
23 unrelated children to supplemental security income; and

24 WHEREAS, only twenty-nine and nine-tenths percent of  
25 supplemental security income applications were approved in New

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1 Mexico in 2019, according to the most recent data from the  
2 federal social security administration; and

3 WHEREAS, the federal social security administration found  
4 that legal representation in supplemental security income  
5 claims has proven to increase rates of supplemental security  
6 income approval at all stages of application, including more  
7 than sixty-five percent of cases approved on appeal at the  
8 hearing level; and

9 WHEREAS, advocacy models in other states provide  
10 supplemental security income legal advocacy to help individuals  
11 transition from state and locally funded cash assistance  
12 programs to the federal supplemental security income program;  
13 and

14 WHEREAS, programs providing legal advocacy for disabled  
15 adults receiving state-based supplemental security income  
16 assistance have increased the number of participants who  
17 transition to supplemental security income and dramatically  
18 increased the corresponding recoupment of state benefits paid;  
19 and

20 WHEREAS, as an example, Alameda county, California, fully  
21 funds its cash general assistance program through recouped  
22 federal supplemental security income benefits; and

23 WHEREAS, implementing this model of advocacy could  
24 dramatically reduce the general fund appropriation for general  
25 assistance for disabled adults and unrelated children while

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1 increasing their ability to meet basic needs; and

2 WHEREAS, the human services department has initiated pilot  
3 programs to provide supplemental security income legal advocacy  
4 to general assistance for disabled adults and unrelated  
5 children program participants;

6 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
7 REPRESENTATIVES OF THE STATE OF NEW MEXICO that during the 2022  
8 legislative interim, the human services department be requested  
9 to solicit testimony from organizations that represent and  
10 advocate for New Mexicans living with disabilities and poverty;  
11 and

12 BE IT FURTHER RESOLVED that the human services department  
13 be requested to solicit testimony on data and information  
14 regarding:

15 A. the number of general assistance for disabled  
16 adults and unrelated children participants at each level of the  
17 supplemental security income application process: initial,  
18 reconsideration and hearing;

19 B. the number of participants referred to legal  
20 services attorneys at each level;

21 C. the number of participants approved and days  
22 from referral to approval;

23 D. the housing status for each participant at the  
24 time the attorney closes the case;

25 E. state general fund dollars recouped per

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1 participant; and

2 F. department efforts to engage community members  
3 and other stakeholders to increase access and address barriers  
4 preventing the enrollment of eligible New Mexicans in the  
5 general assistance for disabled adults and unrelated children  
6 program; and

7 BE IT FURTHER RESOLVED that the human services department  
8 be requested to report its findings and conclusions to the  
9 interim legislative health and human services committee by  
10 November 1, 2022; and

11 BE IT FURTHER RESOLVED that the human services department  
12 be requested to track the use of the outlined procedures and  
13 report to the interim legislative health and human services  
14 committee and the legislative finance committee concerning its  
15 progress in the fall of 2022 and the fall of 2023; and

16 BE IT FURTHER RESOLVED that copies of this memorial be  
17 transmitted to secretary of human services, the secretary of  
18 children, youth and families and the governor.