

TITLE 8 SOCIAL SERVICES
CHAPTER 21 TRANSPORTATION ASSISTANCE AND SUPPORT
PART 540 EMERGENCY ASSISTANCE PROGRAMS, AID TO FAMILIES WITH DEPENDENT CHILDREN - CHILD SAFETY RESTRAINT SEAT PROGRAM

8.21.540.1 ISSUING AGENCY: New Mexico Health Care Authority, Income Support Division.
[8.21.540.1 NMAC - Rp 8.21.540.1 NMAC, 7/1/2024]

8.21.540.2 SCOPE: The rule applies to the general public.
[8.21.540.2 NMAC - Rp 8.21.540.2 NMAC, 7/1/2024]

8.21.540.3 STATUTORY AUTHORITY: Article 1 and 2 of Chapter 27 NMSA 1978 authorize the state to administer the aid to families with dependent children program (AFDC). Title IV of the Social Security Act and the rules and regulations of the federal department of health, education and welfare, carried under Title 45, Code of Federal Regulations, established the requirements for state plans for assistance to families with dependent children. Section 9-8-1 et seq. NMSA 1978 establishes the health care authority (HCA) as a single, unified department to administer laws and exercise functions relating to health care facility licensure and health care purchasing and regulation.
[8.21.540.3 NMAC - Rp 8.21.540.3 NMAC, 7/1/2024]

8.21.540.4 DURATION: Permanent.
[8.21.540.4 NMAC - Rp 8.21.540.4 NMAC, 7/1/2024]

8.21.540.5 EFFECTIVE DATE: July 1, 2024, unless a later date is cited at the end of a section.
[8.21.540.5 NMAC - Rp 8.21.540.5 NMAC, 7/1/2024]

8.21.540.6 OBJECTIVE: The objective of the AFDC - emergency assistance child safety restraint seat program is to assist needy children and their families by providing newborn children with child safety restraint seats. The seats, as well as training on their use, will be provided to families with a newborn child upon their release from a hospital. The program is a joint effort between HCA and the department of health (DOH) as DOH is responsible for assuring the health and safety of New Mexico residents. In such capacity, DOH has agreed to obtain and distribute child safety restraint seats for the purpose of the EACRSR program.
[8.21.540.6 NMAC - Rp 8.21.540.6 NMAC, 7/1/2024]

8.21.540.7 DEFINITIONS: [RESERVED]
[8.21.540.7 NMAC - Rp 8.21.540.7 NMAC, 7/1/2024]

8.21.540.8 ELIGIBILITY REQUIREMENTS: Eligibility is based upon four requirements: destitution, emergency situation, compliance with project forward components, and birth.

A. Destitution: To be eligible to receive AFDC - emergency assistance child safety restraint seat program benefits, an applicant's respective family is required to receive AFDC and provide documentation of such. Consequently, in order to receive a child safety restraint seat and the associated training, applicant families will be required to present proof of AFDC benefits, preferably by presenting their medicaid card.

B. Emergency situation: To be eligible to receive AFDC - emergency assistance child safety restraint seat program benefits, applicants are required to be in an emergency situation. Consequently, an emergency situation needs to be designated by respective hospital personnel.

C. Compliance with project forward components: To be eligible to receive AFDC - emergency assistance child safety restraint seat program benefits, applicant's respective families must have complied with project forward components. The emergency condition must not have arisen because an adult family member refused to accept employment or training for employment.

D. Birth requirements: To be eligible to receive AFDC - emergency assistance child safety restraint seat program benefits, applicant's respective families must have recently given birth. Applicants must receive benefits upon their first release from the hospital.

[8.21.540.8 NMAC - Rp 8.21.540.8 NMAC, 7/1/2024]

HISTORY OF 8.21.540 NMAC: [RESERVED]

History of Repealed Material:

8 NMAC 21 EAP. 5408.21.540 NMAC - Emergency Assistance Programs, Aid To Families With Dependent Children - Child Safety Restraint Seat Program (filed 9/15/1995) Repealed effective, 7/1/2024.

Other: 8 NMAC 21 EAP. 5408.21.540 NMAC - Emergency Assistance Programs, Aid To Families With Dependent Children - Child Safety Restraint Seat Program (filed 9/15/1995) Replaced by 8.21.540 NMAC - Emergency Assistance Programs, Aid To Families With Dependent Children - Child Safety Restraint Seat Program , effective, 7/1/2024.