

TITLE 8 SOCIAL SERVICES
CHAPTER 119 REFUGEE RESETTLEMENT PROGRAM
PART 500 ELIGIBILITY POLICY-GENERAL INFORMATION

8.119.500.1 ISSUING AGENCY: New Mexico Health Care Authority.
[8.119.500.1 NMAC - Rp 8.119.500.1 NMAC, 7/1/2024]

8.119.500.2 SCOPE: The rule applies to the general public.
[8.119.500.2 NMAC - Rp 8.119.500.2 NMAC, 7/1/2024]

8.119.500.3 STATUTORY AUTHORITY:

A. The Refugee Resettlement Program (RRP) is authorized under Title IV of the Immigration and Nationality Act of 1980. The act designates the federal department of health and human services (DHHS) as the federal administering agency. RRP regulations are issued by DHHS in the Code of Federal Regulations, Title 45, Part 400, which is supplemented by administrative and program instructions issued by the federal department from time to time.

B. In accordance with authority granted to the health care authority (HCA) by Subsection J of Section 27-1-3 NMSA 1978, and pursuant to executive order 80-62, dated 10/01/1981, the governor of the state of New Mexico has designated the HCA as the single state agency responsible for administering the program in New Mexico.

C. 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.
[8.119.500.3 NMAC - Rp 8.119.500.3 NMAC, 7/1/2024]

8.119.500.4 DURATION: Permanent.
[8.119.500.4 NMAC - Rp 8.119.500.4 NMAC, 7/1/2024]

8.119.500.5 EFFECTIVE DATE: July 1, 2024, unless a later date is cited at the end of a section.
[8.119.500.5 NMAC - Rp 8.119.500.5 NMAC, 7/1/2024]

8.119.500.6 OBJECTIVE: The objective of the RRP is to assist refugees to become self-sufficient by providing a program of financial and medical assistance while, supportive services are provided, to ensure the effective resettlement of refugees in the state of New Mexico through programs designed to assist with integration, promotion of economic self-sufficiency, and protecting refugees and communities from infectious diseases and other health related issues. HCA has agreed to administer this program subject to the receipt of federal funds. Under the RRP, sponsors(s) and VOLAGs work closely with the federal government to coordinate support services authorized under the program. The RRP includes the provision of refugee cash assistance (RCA), refugee medical assistance (RMA), refugee social services (RSS) and additional support services funded by the office of refugee resettlement (ORR).
[8.119.500.6 NMAC - Rp 8.119.500.6 NMAC, 7/1/2024]

8.119.500.7 DEFINITIONS: [RESERVED]
[8.119.500.7 NMAC - Rp 8.119.500.7 NMAC, 7/1/2024]

8.119.500.8 NEED DETERMINATION:

A. Income and resource eligibility, as well as amount of payment, are determined in accordance with 45 CFR Section 400.66 which requires that RCA adhere to the need determination standards and provisions of the TANF program except as otherwise noted below:

(1) Resources remaining in the refugee's country of origin may not be counted in determining income eligibility.

(2) The income of a refugee's sponsor may not be counted in determining income eligibility.

(3) Any cash grant received by the refugee applicant under the U.S. department of state or department of justice reception and placement programs may not be counted in determining income eligibility.

B. Standard of need: Benefit group requirements are determined in accordance with 45 CFR Section 400.66 which requires that RCA adhere to the need determination standards and provisions of the TANF program.

C. Prospective budgeting: Need and income are determined prospectively in accordance with 45 CFR Section 400.66 which requires that RCA adhere to the need determination standards and provisions of the TANF program.

[8.119.500.8 NMAC - Rp 8.119.500.8 NMAC, 7/1/2024]

History of 8.119.500 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives:

ISD-IPP 81-8, Limiting Assistance to 36 Months After Arrival into U.S. to Refugees (ISD Categories 19 and 49), 4/10/1981.

ISD-IPP 82-7, Limiting Refugee Assistance to 18 Months After Refugee's Arrival into U.S., 3/15/1982.

ISD 281.0000, Refugee Eligibility Conditions, 6/29/1982.

ISD FA 610, Refugee Resettlement Program, 2/11/1988.

ISD FA 610, Refugee Resettlement Program, 7/2/1990.

History of Repealed Material:

8 NMAC 3.RRP, Refugee Resettlement Program - Repealed, 07/01/1997.

8.119.500 NMAC - Eligibility Policy-General Information (filed 3/2/2001) Repealed, effective 7/1/2024.

Other: 8.119.500 NMAC - Eligibility Policy-General Information (filed 3/2/2001) Replaced by 8.119.500 NMAC - Eligibility Policy-General Information, effective 7/1/2024.