




# TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL

<b>TO: REGIONAL ADMINISTRATOR FOR FAMILY ASSISTANCE</b> Department of Health and Human Services REGION <u>VI</u>		STATE New Mexico
TYPE OF PLAN MATERIAL		TRANSMITTAL NUMBER AFDC 95-2
<input checked="" type="checkbox"/> AFDC (Title IV-A) <input type="checkbox"/> JOBS (Title IV-F) <input type="checkbox"/> SUPPORTIVE SERVICES	<input type="checkbox"/> New State Plan <input type="checkbox"/> Amendment to be considered as new Plan <input checked="" type="checkbox"/> Amendment [*COMPLETE FOLLOWING SECTIONS]	PROPOSED EFFECTIVE DATE 5-1-95 *FEDERAL REGULATION CITATION 233.120
*Number of new plan section or attachment Section 3 page 1, 1-a, 1-b, 1-c Attachment 3-A page 1, 1-a, 1-b, 1-c	*Number of superseded plan section or attachment Section 3 page 1, 1-a, 1-b Attachment 3-A page 1, 1-a, 1-b	
*Subject of amendment Implementation of new segment of Emergency Assistance to needy families with Children: Child Safety Services		
<b>GOVERNOR'S REVIEW</b>		
<input type="checkbox"/> Governor's office reported no comment <input type="checkbox"/> Comments of Governor's office enclosed <input type="checkbox"/> No reply received within 45 days of submittal		
<input checked="" type="checkbox"/> Other [SPECIFY] As approved by Income Support Div. Director of Human Services Dept.		
<b>STATE AGENCY OFFICIAL</b> Name <u>Roberto Salazar</u> Title <u>Director, Income Support Division</u> Signature  Date <u>4/28/95</u>	<b>FOR REGIONAL OFFICE USE ONLY</b>	
<b>RETURN TO:</b> Financial Assistance Bureau Human Services Department PO Box 2348 - Pollon Plaza Santa Fe, New Mexico 87504-2348		
<b>REGIONAL OFFICIAL</b> Name <u>LEON MCCOVAN</u> Title <u>REGIONAL ADMINISTRATOR</u> Signature 		
DATE RECEIVED <u>6/2/95</u>		DATE APPROVED <u>8/18/95</u> <span style="float: right;">RHS 8/17/95</span>
EFFECTIVE DATE OF APPROVED MATERIAL <p style="text-align: center;">5/1/95</p>		
<b>REMARKS</b>   <div style="text-align: right; margin-top: 20px;">  </div>		

STATE PLAN REVIEW MEMORANDUM

STATE: New Mexico

SUBMITTAL NO.: 95-2 AFDC

DATE SUBMITTED: 6/2/95

FINAL CLEARANCE REQUIRED BY: 8/2/95

Date Approved/Disapproved 8/17/95

ROUTING:

- 1. Plan Clerk A. Blue 7/3/95
- 2. SPS B. Sluss RMB 1/8/17/95
- 3. FMS B. Sluss RMB 8/17/95
- 4. R. Rodgers
- 5. A. Blue
- 6. B. Robinson n/f for RSR 8/20/95
- 7. J. McCowan JTB
- 8. A. Blue

REMARKS/SUMMARY/COMMENTS: This AFDC Emergency Assistance State Plan requested the ability to provide infant car seats for newborn children. We recommended approval of the amendment to C.O. on 6/6/95. We received a LAMV message from C.O. on 8/17/95 that they had signed the approval letter on 8/4/95. New Mexico has been notified of the approval.

Replaces TN-93-1  
ACTION REQUIRED/BY \_\_\_\_\_

Financial Implications? Yes  No

FMS Comments Required? Yes  No  (Attach comments if required)

Attach comments and return by \_\_\_\_\_.

General Counsel Clearance Required? Yes  No

Recommended Action: SPS--Approval  Disapproval  (Explain) \_\_\_\_\_  
 FMS--Approval  Disapproval  (Explain) \_\_\_\_\_

To: Robert Sluss@OSP@ACF.DAL  
Cc:  
From: Judith J Reich@OFA.DAP@ACF.WDC  
Subject: re: EA Update Needed  
Date: Thursday, August 17, 1995 6:31:19 CDT  
Attach:  
Certify: N  
Forwarded by:

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The NM letter was signed off August 4th, approving the plan amendment regarding infant car seats. Have a good day!

IV-A

STATE OF NEW MEXICO

SECTION 3 EMERGENCY ASSISTANCE TO NEEDY FAMILIES WITH CHILDREN

233.120  
406(e)

A. Emergency assistance to needy families with children under the age of 21 is provided in accordance with 45 CFR 233.120.

No (Paragraphs B.-D. of this Section do not apply.)

Yes, as specified below:

B. Families of migrant workers are covered.

No

Yes, on Statewide basis.

Yes, but only in the following areas of the State:

Other eligibility requirements are in effect.

No

Yes, as specified below:

See Section 3 page 1-a and 1-1b

D. The kinds of emergency situations which are covered by this program and the kind of assistance and services provided to meet the emergency situations are detailed in Attachment 3-A.

*Abolished  
Replaced by TAN# 95-2*

TR 1 93-1

Approval  
Date 01-07-94

Effective  
Date 7-1-93

Supersedes  
TR 1 82-5

*RHS  
1/7/94*

## Section 3. C (Continued)

## ELIGIBILITY CONDITIONS -

GENERAL - To be eligible the child must be living with a specified relative or must have lived with such relative within one or more of the six months preceding the month in which the AFDC-EA application is made.

The decision whether a child is or has been living with a specified relative shall be made in accordance with requirements, definitions and guidelines set forth in the state's AFDC program regulations.

With respect to a child who is or will be living apart from the family, only income and resources which are actually and currently available to the child are considered in determining the child's eligibility.

With respect to determinations being made where the child is living with his or her family, only income or cash resources which are actually and currently available to the family are considered.

An emergency, as defined in Attachment 3-A, page 1-a is determined to exist and it is determined that the emergency did not arise out of a parent's refusal to accept employment or training for employment required under the state's Title IV-A program.

A child receiving assistance or services under Title IV-E is not eligible for AFDC-EA.

Application for AFDC-EA is made by the caretaker or relative with whom the child is living or by CY&FD staff if the caretaker relative is absent, unable, or unwilling to apply in the child's behalf.

The eligibility determination is made by an HSD staff member.

Financial Assistance - To be eligible for direct financial assistance, the child must meet the following AFDC conditions of eligibility:

Non-concurrent receipt of assistance;  
Citizenship;  
Enumeration;  
State residency;

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Age; and  
School attendance.

The assistance group consists of the child(ren) and the caretaker, at his or her own discretion.

Income and resources belonging to the caretaker are considered available in accordance with the requirements of the state's regular AFDC program.

Destitution and calculation of the amount of payment is determined using need and payment standards established for the state's regular AFDC Program.

Family Support Services - To be eligible for family support services:

A child will be considered destitute if, during the month of application, the child's family received AFDC, SSI, Food Stamps or Medicaid or the family does not have sufficient cash available to meet the costs of the assistance and/or services being provided to the child;  
and

The child, as determined by CY&FD staff, is at risk of abuse, neglect or of committing a delinquent act, or is abused, neglected, or delinquent and is therefore being supervised by CY&FD staff while temporarily residing in shelter care, foster care or in a residential group home;  
and

the child must meet the following AFDC conditions of eligibility:

- Non-concurrent receipt of assistance;
- Citizenship;
- Enumeration;
- State residency;
- Age;
- and School attendance.

*Replaced by  
TN# 95-2*

TN# 94-5

APPROVAL  
DATE 4/13/95

EFFECTIVE  
DATE 10-01-94

Supersedes  
TN# 93-1

*RHS  
4/12/95*

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CITATIONS

EMERGENCY ASSISTANCE TO NEEDY FAMILIES  
WITH CHILDREN

233.120

A. Kinds of emergencies covered.

See page 1-a

B. Kinds of assistance provided to meet emergency situations.

See pages 1-a and 1-b

*Obsolete  
Replaced by TA#95-2*

C. Kinds of service provided to meet the emergency situations.

See page 1-b

TA # 93-1

Approval  
Date 01-07-94

Effective  
Date 7-1-93

*Supersedes*  
TA # 82-5

*RMS  
1/7/94*

IV-A STATE OF NEW MEXICO

EMERGENCY ASSISTANCE TO NEEDY FAMILIES WITH CHILDREN

A. Kinds of emergencies covered:

GENERAL - The State's AFDC Emergency Assistance (AFDC-EA) program is intended to assist children who are in emergency situations because the child is living apart from his/her parents or is in danger of such separation. The program provides a range of assistance and services designed to alleviate financial, social or medical problems which may lead to a child's separation from the family or, if such separation has already occurred, to provide care and support to the child while apart from his/her family and to provide services aimed at facilitating the child's return to the care of the parents or other family members or until other, more permanent, plans for the child's care and support are made.

1. Financial Assistance - A child left with a non-relative caretaker for an anticipated period in excess of thirty days is destitute and the parent has made no plan for financial support and/or no support is being provided, but the child is not in any apparent danger of abuse or neglect.
2. Family Support Services - A child in the family is: 1) the subject of an abuse or neglect referral; or 2) at risk of abuse or neglect; or 3) at risk of committing a delinquent act; or 4) in need of or at risk of an out-of-home placement.

B. Kinds of assistance provided to meet emergency situations

GENERAL - A variety of assistance and services are provided for varying periods of time. Federal AFDC-EA match is claimed only for assistance and services authorized during one period of 30 consecutive days in any 12 consecutive month period.

1. Financial Assistance Program - Financial assistance is provided in the form of a direct money payment to the caretaker. The payment is intended to meet child's needs for food, clothing, shelter, utilities, and personal needs. The needs of the caretaker may also be included if the caretaker is needy according to AFDC standards.

The above assistance is limited to a period of 12 months or less while plans are developed and finalized which result in the child's returning to live with the parent or another relative qualifying as a specified relative under the state's AFDC program or in another long term placement plan.

*Replaced by TN# 95-2*

TR 1 93-1

Approval Date 01-07-94

Effective Date 7-1-93

Supersedes TR 1 82-5

*RHR 1/7/94*

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2. Family Support Services - Shelter care, foster family care, or residential group care for children in custody of the state's Children, Youth and Families Department, such care to include food, clothing and supervision. Needed medical care for children in these living arrangements may be provided if the child is not eligible for Title XIX.

Payment for Family Support Services is limited to a period of twelve months or less as necessary to alleviate the emergency condition.

C. Kinds of service provided to meet emergency situations

Family Preservation Services - Case management, counseling and in-home family services provided to alleviate the emergency condition, as determined necessary by CY&FD staff. Parenting education and training, either in-home or out-of-home, household management training, and incidental homemaker support services provided to alleviate the emergency condition, as determined appropriate by CY&FD staff.

*Obsolete  
replaced by TN# 95-2*

TN# 94-4

APPROVAL  
DATE 4/13/95

EFFECTIVE  
DATE 10-01-94

Supersedes  
TN# 93-1

*RHS  
4/12/95*