

AMENDED NOTICE OF EMERGENCY RULE FILING

The Health Care Authority (HCA) Income Support Division (ISD) is amending the Notice of Hearing that was originally posted on State Records Center and Archives (SRCA) New Mexico Register, Volume XXXVI, Issue 11, June 9, 2026 (Notice). The Notice of Hearing was not posted to the New Mexico HCA website. This amended notice is issued to ensure publication on HCA Website. ISD will hold a hybrid public hearing to receive testimony on this notice will be held pursuant to Section 14-4-5.6 NMSA 1978, on Thursday August 27, 2026, at 11:00 am-12:00 pm.

You may join: In Person: at HCA Income Support Division Santa Fe County Field Office, 39B Plaza La Prensa, Santa Fe NM 87507.

Virtually from your computer, tablet or smartphone by logging into:

Microsoft Teams Need help? **Join the meeting now Meeting ID:** 273 637 138 782 604 **Passcode:** YD7Kp9ve

You may join virtually from your computer, tablet or smartphone:

+1 505-312-4308,,643931163# United States, Albuquerque (888) 506-1357,,643931163#_ United States (Toll-free)
Find a local number Phone conference ID: 643 931 163#

If you are a person with a disability and you require this information in an alternative format, or you require a special accommodation to participate in any HSD public hearing, program, or service, please contact the American Disabilities Act Coordinator, at Office-505-709-5468, Fax- 505-827-6286 or through the New Mexico Relay system, toll free at #711. The Authority requests at least a 10-day advance notice to provide the requested alternative formats and special accommodations.

Individuals who do not wish to attend the hearing may submit written or recorded comments by the following ways:

- Drop off at HCA Income Support Division, Sandoval County Office Attn: Monica Pineda at HCA Income Support Division Santa Fe County Field Office, 39B Plaza La Prensa, Santa Fe NM 87507.
- Calling (505) 819-8118.
- Mailing comments to: Income Support Division: Attn, Monica Pineda at P.O. Box 2348, Santa Fe, NM 87504-2348.
- Emailed electronically to: HCA-isdrules@hca.nm.gov.

Written or recorded comments must be received by 5:00 p.m. on the date of the hearing, August 27, 2026. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing. All written comments will be posted on the agency website at Income Support Division Registers - New Mexico Health Care Authority within 3 days of receipt.

NOTICE ISSUED JUNE 9, 2026

The Health Care Authority will implement a temporary emergency rule effective April 1, 2026.

During October 2026 Special Legislative Session, \$12 million was appropriated to provide food assistance to SNAP recipients affected by House of Representatives (H.R. 1), Section 10108 (Immigration SNAP Eligibility) that President Donald J. Trump signed into law on July 4, 2025. Under H.R. 1, Section 10108, SNAP eligibility for certain lawfully present noncitizens, resulting in the loss of benefits for individuals who were previously eligible. The Authority is implementing emergency rule to open a new section 8.106.640 NMAC State Funded Assistance program which is a State Funded Assistance Program. The objective of the New Mexico State funded food assistance program is to provide households affected by HR 1.

8.106.640 NMAC

This part is being opened to add the rules for the State Funded Food Assistance Program.

Regulations to the State Funded Assistance Programs administered by the Health Care Authority (HCA), including its authority to promulgate regulation, and is governed by Chapter 9, Article 8, NMSA (Repl. 1983).

The Authority is developing a new State Funded Assistance Food Program, that will benefit the households affected by HR 1.

The rule is being developed under the following statutory authority: New Mexico Statutes Annotated 1978 (Chapter 27, Articles 1 and 2) authorize the state to administer the aid to these families.

The register and rule language is available on the HCA website at:

<https://www.hca.nm.gov/lookingforinformation/income-support-division-registers-2/>.

If you do not have internet access, a copy of the final register and rules may be requested by contacting HCA Office of the Secretary at (505) 827-7750.