

**NOTICE OF EMERGENCY RULE FILING**

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.