

This is an amendment to 8.106.631 NMAC, Sections 8 and 9 effective 11/1/2025.

8.106.631.8 PROGRAM ELIGIBILITY: ~~[Benefits shall be processed annually at the beginning of the federal fiscal year dependent on the availability of funding.]~~

A. Limited to current SNAP recipients: no application is needed for an individual or groups of individuals who reside together that do not pay separate heating or cooling costs and do not receive the heating and cooling standard utility allowance (HCSUA).

B. Household: Eligible household include those who:

- (1) are receiving SNAP after being determined eligible as outlined in 8.139.110 NMAC;
- (2) have gross income less than two hundred percent of the poverty level; ~~[and]~~
- (3) do not pay for any heating or cooling expenses, including the payment of a fee to use an air conditioner; ~~[and]~~
- (4) are not receiving the maximum SNAP benefit; ~~[and]~~
- (5) have an identifiable shelter cost; and
- (6) include an elderly or disabled household member.

C. Eligible households: ~~[will receive the HCSUA in accordance with 8.139.510.11 NMAC.]~~ will receive the HCSUA in accordance with 8.139.520.11 NMAC.
[8.106.631.8 NMAC - Rp, 8.106.631.8 NMAC 3/1/2025; A/E 11/1/2025]

8.106.631.9 BENEFIT DELIVERY:

A. Effective date: ~~[At the beginning of every federal fiscal year, October 1, a one-time energy assistance cash payment will be issued to eligible households as defined in Subsection A of 8.106.631.9 NMAC.]~~ At the beginning of every federal fiscal year, a one-time energy assistance cash payment will be issued to eligible households as defined in Subsection B of 8.106.631.8 NMAC.

B. Benefit issuance: ~~[Heat and Eat benefits are issued through a direct deposit into a household's EBT account. EBT cards are issued and maintained as defined at 8.139.610 NMAC. A Heat and Eat participating household has a definite issuance date so that benefits are received on or about the same time annually.]~~ The Heat and Eat benefit is a cash payment issued through a direct deposit onto the households EBT card and is issued one time per federal fiscal year. For new SNAP households the initial cash payment is issued upon approval of the SNAP benefits. A heat and eat benefit will not be issued if a payment was already received in the current federal fiscal year. For active and ongoing SNAP households, the cash payment will be issued at the start of each Federal fiscal year, on or about October 1. Cash payment benefits are issued and maintained pursuant to 8.106.610 NMAC.

C. Benefit amount: Dependent on the availability of state general fund a cash payment of no less than \$20 will be issued.

D. Eligible uses for benefit: This Cash benefit is intended to help the household meet their heating or cooling needs. Please refer to 8.106.610.8 NMAC for uses of Cash benefit.
[8.106.631.9 NMAC - Rp, 8.106.631.9 NMAC 3/1/2025; A/E 11/1/2025]