



STATE OF NEW MEXICO  
HUMAN SERVICES DEPARTMENT

# HUMAN SERVICES REGISTER

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## I. DEPARTMENT

HUMAN SERVICES DEPARTMENT

## II. SUBJECT

HEAT AND EAT PROGRAM

## III. PROGRAMS AFFECTED

STATE FUNDED ASSISTANCE PROGRAMS

## IV. ACTION

FINAL RULE

## V. BACKGROUND

The Department is finalizing and adopting regulations that were proposed to the State Funded Assistance Programs in the Human Services Register (HSR) Vol. 43 No. 06. These programs are administered by the Human Services Department, including its authority to promulgate regulations, and is governed by Chapter 9, Article 8, NMSA 1978 (Repl. 1983).

## VI. CONCISE EXPLANATORY STATEMENT

The HSD has developed a new State Funded Assistance Program, the Heat and Eat Program, that will benefit the citizens of New Mexico to not only receive a supplemental energy assistance payment annually but will also increase their standard utility deduction and the SNAP benefit. The rule has been 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 families with dependent children (AFDC), general assistance (GA), shelter care supplement, the burial assistance programs and such other public welfare functions as may be assumed by the state.

This HSR addresses comments received regarding the proposed rule. A public hearing was scheduled and held on September 25, 2020, where there were no attendees. The Department received one public comment by email in support of the new initiative stating:

*“We thank the Human Services Department (“HSD”) for proposing this rule. No one in New Mexico should go hungry, and SNAP is a proven, effective way to address hunger. The proposed rule will bolster the SNAP program and reduce hunger in our state. As stated in the statute establishing SNAP, the program’s purpose is to “safeguard the health and well-being of the Nation’s population” and “raise levels of nutrition.” Heat and Eat aligns with that purpose. Heat and Eat provides for assistance with energy costs and leads to an increase in SNAP benefits. Therefore, the program will increase the food budget for New Mexican families participating in the SNAP program. This makes it an effective tool in the fight against hunger.”*

**VII. PUBLICATION DATE**

October 27, 2020

**VIII. EFFECTIVE DATE**

November 1, 2020

**IX. PUBLICATION**

Publication of these emergency regulations approved on 10/13/2020 by:

DocuSigned by:

*Angela Medrano*

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DAVID R. SCRASE, M.D., SECRETARY  
HUMAN SERVICES DEPARTMENT  
Angela Medrano, Deputy Cabinet Secretary  
Signing electronically on behalf of D.S.