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## General Information Memorandum

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ISD-GI 19-03

TO: ISD Employees  
FROM: Judith Parks, Deputy Director, Income Support Division *JSP*  
DATE: January 12, 2019  
RE: Federal Waiver for SNAP Early Issuance of February Benefits

Due to the Federal Government Shutdown effective December 21, 2018 the New Mexico Human Services Department (NMHSD) has announced its decision to participate in a waiver option from the U.S. Department of Agriculture (USDA) that will provide an early issuance of the Supplemental Nutrition Assistance Program (SNAP) benefits for February.

The USDA made this option available to states, which will be required to issue the February benefits for approved and ongoing SNAP recipients on or before January 20, 2019. Prior to this announcement, the SNAP program was not funded beyond January 31, 2019.

HSD will continue to work with its federal partners, the Governor's office, and the Department of Finance and Administration to minimize the impact on customers and their benefits.

### Households Eligible for Early Issuance:

Not everyone will receive an early issuance of their February SNAP benefits. The following circumstances will receive early issuance under the blanket waiver:

1. An active and approved SNAP case (not due for renewal in January).
2. New applications received in January, must be **approved for SNAP prior to January 15, 2019.**
3. New SNAP applications **processed and approved before January 15, 2019** will receive both January and February benefits as a combined issuance in accordance with 7 CFR 274.2(c).
4. Any Interim Report (IR) or Recertification application (PR) **processed and approved on/or before January 15, 2019** will receive early issuance of February SNAP benefits.
5. SNAP Supplements (ex. Add a Member) **processed and approved on/or before January 15, 2019** will receive early issuance.

Households whose IR, PR or application is processed and approved after the 15<sup>th</sup> of month will be processed following normal processing standards and will receive their SNAP benefits according the normal issuance cycle in February.

**Fair Hearings:**

If a customer's SNAP benefits are affected due to the federal government shutdown they will continue to have the right to request a Fair Hearing.

The unavailability of SNAP due to the federal government shutdown is considered a "Mass Change". In accordance with 8.100.180.15 C NMAC, a fair hearing is not available and benefits are not continued when automatic adjustments are required by federal or state law. A Fair Hearing may be available if the specific request for the Fair Hearing is incorrect benefits computation.

If a Fair Hearing request is received, follow the standard process for a Fair Hearing. When completing the Summary of Evidence (SOE) for request directly related to the federal government shutdown use the following standardized language:

*Due to the Federal Government Shutdown effective December 21, 2018 the New Mexico Human Services Department (NMHSD) has announced its decision to participate in a waiver option from the U.S. Department of Agriculture (USDA) that will provide an early issuance of the Supplemental Nutrition Assistance Program (SNAP) benefits for February.*

*The USDA made this option available to states, which will be required to issue the February benefits for approved and ongoing SNAP recipients on or before January 20, 2019. Prior to this announcement, the SNAP program was not funded beyond January 31, 2019.*

*In accordance with 8.100.180.15 C NMAC, a fair hearing is not available and benefits are not continued when automatic adjustments are required by federal or state law.*

**The Fair Hearings Bureau will continue to follow the standard process and hear all requests.**

**ASPEN Impact:**

Please review all overpayment SNAP claims between 1/16/2019 and 1/31/2019 to ensure they are valid and not to the early February benefits. Due to the early issuance, the last day to make the changes is 1/18/19.

Please do not withdraw any active SNAP benefits between 1/16/2019 and 1/31/2019 until, February 1<sup>st</sup>, 2019. This is due to early SNAP February issuance and do not want to produce future claims on these cases.

If you have questions regarding this GI, please contact Gavino Archuleta at (505) 827-7244 or by e-mail at [Gavino.Archuleta@state.nm.us](mailto:Gavino.Archuleta@state.nm.us).