

Interim Policy & Procedure Memorandum

ISD-IPP 15-15

TO: ISD Employees

FROM: ^{LM} Marilyn Martinez, Director, Income Support Division

RE: Definition of an individual who is physically or mentally unfit for employment for Employment and Training exemption for SNAP

DATE: November 12, 2015

When an individual is claiming a disability and has not submitted an application for disability benefits with the Social Security Office or is claiming responsibility for the care of an incapacitated individual, the following interim policy and procedure must be completed in order to determine if an individual is unfit for employment or is responsible for the care of an incapacitated person per 8.139.410.12 (D)(2)(b) & (c) NMAC.

To determine an exemption exists on the basis of pregnancy, or physical or mental unfitness, the individual must provide written documentation by a medical practitioner such as a physician, physician's assistant, nurse, nurse practitioner, a licensed or certified psychologist, or social worker. The claim of physical or mental unfitness must be substantiated by written documentation identifying the physical or mental condition and certifying that the person is unfit for employment.

In order to meet the exemption when a SNAP participant is claiming to be the sole provider of the care for an ill or incapacitated person, the SNAP participant must provide medical documentation (which could include a letter from the incapacitated individual's health care provider) that the person is the caretaker.

Process for Verifying Physical and Mental Fitness for SNAP participants that may exempt them from participation in the mandatory E & T Program:

- The caseworker shall review all information available to him/her, including documentation;
- To obtain verification, the caseworker shall use electronic databases available to him/her when feasible;
- When electronic databases are not available; the SNAP participant is responsible for providing the necessary documentation; and

- If a SNAP participant is deemed physically and mentally fit, and thus not exempt from the E & T Program, the client will have an opportunity to appeal the mandatory status decision to the Fair Hearing Bureau.

If you have questions regarding this IPP, please contact Marisa Vigil at marisa.vigil@state.nm.us or 505-827-1326.

RESCINDED 12/8/2015