



STATE OF NEW MEXICO
Human Services Department
Governor Michelle Lujan Grisham
David R. Scrase, M.D., Cabinet Secretary
Angela Medrano, Deputy Cabinet Secretary
Kari Armijo, Deputy Cabinet Secretary

December 30, 2020

Dwight Crudup
Regional Director
Southwest Region USDA/FNS
110 Commerce Street, Room 5-C-30
Dallas, Texas 75242

Subject: Waiver # 2160027 Request for Extension of *Able-Bodied Adults without Dependents (ABAWD) Time Limit - Statewide*

Dear Mr. Crudup:

New Mexico Human Services Department (NMHSD) - Income Support Division (ISD) is submitting the attached Request for Extension of Waiver # 2160027, waiving regulation 7 CFR 273.24 requiring state agencies to implement the ABAWD three-month time limit.

The State does not have a sufficient number of jobs to provide employment for the individuals.

Due to an increase in New Mexico's three-month average seasonally adjusted insured unemployment rate (IUR), New Mexico has been determined by the United States Department of Labor's (DOL) Department of Unemployment Insurance Services as qualifying for extended unemployment benefits, effective May 17, 2020.

Based on this criterion, New Mexico is requesting a state-wide extension of the current ABAWD three-month time limit waiver #2160027.

If additional information is needed, your staff may contact Gavino Archuleta, SNAP Program Manager, at 505-827-7244 or via e-mail at Gavino.Archuleta@state.nm.us.

Thank you for your assistance in processing this request.

Sincerely,

Karmela Martinez, Division Director
New Mexico Human Services Department

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 2160027
2. **Type of request:** Extension
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008, as amended
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** New Mexico
6. **Region:** SWRO
7. **Regulatory requirements:**

Section 6(o) of the Food and Nutrition Act of 2008, as amended, provides that no able-bodied adult without dependents (ABAWD) shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if the individual received program benefits for more than 3 months during any 3-year period in which the individual was subject to but did not comply with the ABAWD work requirement. Section 6(o) also provides that, upon the request of the State agency, the Secretary may waive the applicability of the 3-month ABAWD time limit for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.
8. **Description of alternative procedures:**

The NMHSD is requesting to waive the three (3) month time limit for able-bodied adults without dependents (ABAWDs) throughout the State under 7 CFR 273.24. The state of New Mexico does not have a sufficient number of jobs to provide employment for the individuals.
9. **Justification for request:**

Under SNAP regulations at 7 CFR 273.24(f)(2), areas may support a claim of insufficient jobs by submitting evidence that an area is determined by the United States Department of Labor's (DOL) Department of Unemployment Insurance Services as qualifying for extended unemployment benefits. 7 CFR 273.24(f)(6) provides that States may define areas to be waived.

The NMHSD seeks a statewide waiver based on the determination of DOL's Department of Unemployment Insurance services that the entire state of New Mexico qualifies for extended unemployment benefits due to an increase in New Mexico's three-month average seasonally adjusted insured unemployment rate (IUR).
10. **Anticipated impact on households and State agency operations:** Impacted households will continue to retain SNAP eligibility and not be held to a work requirement in a State DOL has determined to have insufficient jobs. Additionally, this waiver will provide consistency for state operations by waiving the work requirement for all ABAWDs in the state.
11. **Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):** This waiver affects 11.9% of the total SNAP recipient population for New Mexico (in November 2020 there were 495,752 SNAP recipients, of

which 41,569 were considered ABAWD). Quality control error rate is not expected to be impacted.

12. Anticipated implementation date and time period for which waiver is needed: The State is requesting a one-year waiver, from **April 1, 2021 through March 31, 2022.**
13. Proposed quality control review procedures:
There are no special quality control procedures needed in conjunction with this waiver.
14. State agency submitting waiver request and State contact person:

State: New Mexico
Contact Person: Gavino Archuleta, SNAP Program Manager
15. Signature and title of requesting official:

Name: Karmela Martinez

Title: Division Director

Email for transmission of response: Karmela.Martinez@state.nm.us

16. Date of request: 12/30/20
17. State agency staff contact (name/email/telephone):
Name: Gavino Archuleta
Title: SNAP Staff Manager
Email: gavino.archuleta@state.nm.us
18. Regional office contact person (*to be completed by FNS regional office*):