

TITLE 9 HUMAN RIGHTS
CHAPTER 2 AGE
PART 25 KINSHIP CAREGIVER SUPPORT PILOT PROGRAM

9.2.25.1 ISSUING AGENCY

Aging and Long-Term Services Department (“ALTSD”)
[9.2.25.1 NMAC – N, XX/XX/2025]

9.2.25.2 SCOPE

Provisions of 9.2.25 NMAC apply to all participants of the program described in this rule.
[9.2.25.2 NMAC – N, XX/XX/2025]

9.2.25.3 STATUTORY AUTHORITY

Section 9-23-15 NMSA 1978.
[9.2.25.3 NMAC – N, XX/XX/2025]

9.2.25.4 DURATION

Permanent.
[9.2.25.4 NMAC – N, XX/XX/2025]

9.2.25.5 EFFECTIVE DATE

XX/XX/2025, unless a later date is cited at the end of a section.
[9.2.25.5 NMAC – N, XX/XX/2025]

9.2.25.6 OBJECTIVE

The purpose of the program is to assist kinship caregivers in learning about, finding and using programs and services to meet the needs of the children they are raising and their own needs, and promote effective partnerships among public and private agencies to ensure kinship caregiver families are served. Program navigators will provide information and referrals, including legal assistance and monthly economic support through program partners. The pilot program will be offered in five to seven counties, serving 50 participants per county.
[9.2.25.6 NMAC – N, XX/XX/2025]

9.2.25.7 DEFINITIONS

- A. “Contractor”** means an entity contracted with the department to deliver services, such as legal assistance, to participants of the program.
 - B. “Department”** means the Aging and Long-Term Services Department (ALTSD).
 - C. “Kinship Families”** means families that consists of one or more kinship caregivers who are raising and supporting a child or children.
 - D. “Legal Assistance”** means legal advice, education and representation provided by an attorney; and includes, to the extent feasible, counseling or other appropriate assistance provided by a paralegal or law student under the direct supervision of a licensed attorney; and counseling and representation provided by a non-lawyer where permitted by law.
 - E. “Navigator”** means a person(s) employed by ALTSD or by a contractor.
 - F. “Participating counties”** means the New Mexico counties as selected by the department to participate in the pilot program.
 - G. “Pilot program” or “program”** means the Kinship Caregiver Support Pilot Program.
- [9.2.25.7 NMAC – N, XX/XX/2025]

9.2.25.8 ADMINISTRATION

The department shall administer the program. The department shall collaborate with and receive assistance from other state agencies, members of the business community, community organizations, nonprofit organizations and area foundations. The department shall provide for navigators to assist with the following tasks:

- A. conduct outreach efforts in the participating counties to promote participant engagement with the pilot program;**
- B. process applications for the pilot program;**

- C. meet with participants to complete a needs assessment;
 - D. assist with identifying and accessing public assistance programs or other resources;
 - E. refer participants for legal assistance, which shall include a referral to the legal assistance contractor(s), as needed;
 - F. refer participants to program partners who may provide participants with access to monthly economic support;
 - G. collaborate with program partners, department programs and other state agencies to facilitate services for participants and the child or children in their care;
 - H. ensure that kinship caregiver support meetings are offered in participating counties; and
 - I. explore respite opportunities for participants, such as child care.
- [9.2.25.8 NMAC – N, XX/XX/2025]

9.2.25.9 PARTICIPANT ELIGIBILITY

- A. To be considered for program navigation services, an applicant shall meet the following criteria at the time of application:
 - (1) is a kinship caregiver;
 - (2) is 18 years of age or older;
 - (3) resides in one of the participating counties;
 - (4) has completed a department-created application and provided information regarding the kinship caregiver’s household income and needs of the child or children; and
 - (5) voluntarily chooses to participate in the program, as evidenced by the participant’s signature on a program agreement.
 - B. Eligibility for monthly economic support depends on criteria determined by program partner.
 - C. Eligibility for the program shall not be contingent upon immigration status.
- [9.2.25.9 NMAC – N, XX/XX/2025]

9.2.25.10 SELECTION OF PARTICIPATING COUNTIES

The department shall select five to seven participating counties from various regions across the state to participate as pilot sites. Priority shall be given to the counties with:

- A. a high number of kinship families;
- B. a high number of kinship families facing significant financial or social barriers; and
- C. program partners.

[9.2.25.10 NMAC – N, XX/XX/2025]

9.2.25.11 AGREEMENT

An agreement shall be drawn between each participant and the department. The participant shall execute an agreement before any pilot program services are provided. The agreement shall provide that:

- A. the participant is required to complete a needs assessment;
- B. notification that failure to complete a needs assessment with the navigator may result in the participant being terminated from the pilot program;
- C. notification that the agreement may be terminated by the department in the event the participant no longer meets eligibility; and
- D. an agreement may be terminated at the participant’s request or upon death of the participant.

[9.2.25.11 NMAC – N, XX/XX/2025]

9.2.25.12 CONTINUED ELIGIBILITY, TERMINATION, AND PROGRAM LIMITS

- A. Eligible participants may remain in the pilot program until the pilot program concludes on June 30, 2028.
- B. Any participants who have been terminated from, or not accepted into, the pilot program may submit a new application for pilot program participation.

[9.2.25.12 NMAC – N, XX/XX/2025]

9.2.25.13 NOTICE

A participant shall be issued notice by a pilot program navigator in the following cases:

- A. upon denial of an application;

- B.** upon loss of eligibility for the program;
- C.** upon termination from the program; or
- D.** if the program has been suspended pursuant to 9.2.25.14 NMAC.

[9.2.25.13 NMAC – N, XX/XX/2025]

9.2.25.14 SUSPENSION OF PROGRAM

Pilot program services for participants may be denied for a designated time based on limited funds or a disruptive event, such as fire, flood or pandemic. During a designated suspension period, all new applications for the program shall be denied without consideration of eligibility.

[9.2.25.14 NMAC – N, XX/XX/2025]