

# GRANDFACTS

## STATE FACT SHEETS FOR GRANDFAMILIES



The GrandFacts state fact sheets for grandfamilies include state-specific data and programs as well as information about public benefits, educational assistance, legal relationship options and state laws. Visit [www.grandfamilies.org](http://www.grandfamilies.org) to find this and all GrandFacts state fact sheets.

# New Mexico

## The Children

- 29,000 (6%) children live with a relative with no parent present.
- 64,130 (12.7%) children under 18 live in homes where householders are grandparents or other relatives.
  - 51,001 (10.1%) of these children live with grandparents.
  - 13,129 (2.6%) of these children live with other relatives.

## The Grandparents

- 26,241 grandparents are householders responsible for their grandchildren who live with them. Of these:
  - 8,686 (33.1%) do not have parents present.
  - 15,875 (60.5%) are under age 60.
  - 14,957 (57.0%) are in the workforce.
  - 5,694 (21.7%) are in poverty.
  - 6,586 (25.1%) have a disability.
  - 7,584 (28.9%) are unmarried.
  - Race/Ethnicity:
    - 6,272 (23.9%) are white (not Hispanic or Latino)
    - 604 (2.3%) are black or African American
    - 14,223 (54.2%) are Hispanic or Latino origin
    - 157 (0.6%) are Asian
    - 4,960 (18.9%) are American Indian or Alaska Native
    - 0 (0.0%) are Native Hawaiian or other Pacific Islander
    - 551 (2.1%) are multiracial
    - 3,805 (14.5%) are some other race

## Children in Kinship Foster Care

For data on children in kinship care within the child welfare system, see the [Child Trends fact sheet for New Mexico](#).

[www.childtrends.org](http://www.childtrends.org)

## Programs That Can Help

Local programs that provide support, resources and assistance to grandfamilies can often be found by contacting your local school, area agency on aging, community center, faith-based organization or children's services office.

### Key Programs in New Mexico

#### Advocacy, Inc.

**Website:** [www.nmadvocacy.org](http://www.nmadvocacy.org)

**Phone:** 505-266-3166 or 1-866-257-5320 (toll-free)

**Email:** [kids@nmadvocacy.org](mailto:kids@nmadvocacy.org)

**Service Area:** Bernalillo, Sandoval, Torrance and Valencia Counties

**Description:** Guardianship and adoption legal services, assistance in obtaining health, financial and food support; offered on a sliding scale, often at no cost.

#### Las Cumbres Community Services - Grandparents Raising Grandchildren Program

**Website:** [www.lascumbres-nm.org/grandparents-home](http://www.lascumbres-nm.org/grandparents-home)

**Phone:** 505-753-4123

**Service Area:** Espanola, Santa Fe, and Taos

**Description:** Support groups, respite, case management, and information and referral.

#### National Indian Council on Aging (NICOA)

**Website:** <http://nicoagrandparents.org/>

**Description:** Online information for Native American grandparents raising grandchildren.

#### Outcomes, Inc.

**Website:** [www.outcomesnm.org](http://www.outcomesnm.org)

**Phone:** 505-243-2551

**Email:** [info@outcomesnm.org](mailto:info@outcomesnm.org)

**Service Area:** Albuquerque

**Description:** Support groups, information and referral, and quarterly workshops on topics such as Medicaid, guardianship, and activities for children.

**Pegasus Legal Services, Inc. and Law Access New Mexico - Kinship Guardianship Legal Helpline Program**

**Website:** [www.pegasuslaw.org](http://www.pegasuslaw.org)

**Phone:** Statewide: 1-800-980-1165 (toll-free)  
 Albuquerque: 505-217-1660

**Service Area:** Statewide

**Description:** Legal helpline with information, advice, and assistance for kinship guardianship cases, and direct legal representation in uncontested cases.

**Public Benefits**

Federal and state public benefits programs can help with income, food, healthcare, home energy, telephone and other needs for those who are eligible. Eligibility requirements vary with each public benefit and sometimes are different from state to state. Some benefits are for the family and others are for children or older adults individually. Children are often eligible for public benefits even if their caregivers do not have guardianship or legal custody. Relative caregivers may become eligible for benefits programs when their household size increases.

**Help with Public Benefits**

**AARP Foundation’s Benefits QuickLink**

Benefits QuickLINK, powered by BenefitsCheckUp of the National Council on Aging, offers a free and private way to complete a questionnaire to find out if relatives and/or the children they are raising qualify for certain programs that pay for food, increase income and cover home and healthcare costs. The specific programs covered by the questionnaire in the website are listed below. Once the questionnaire is completed, the website generates a list of eligible programs and contact information.

[www.aarp.org/quicklink](http://www.aarp.org/quicklink)

<p><b>Benefits QuickLINK</b>  <b>State and Federal Public Benefits</b></p>	<p><b>Benefits QuickLINK</b>  <b>Public Benefits for Families Raising Children</b></p>
<ul style="list-style-type: none"> <li>•Medicare Savings Programs</li> <li>•Medicare Prescription Drug Coverage</li> <li>•Medicare Rx Extra Help</li> <li>•State Pharmaceutical Assistance Programs (SPAP)</li> <li>•Medicaid for Aged, Blind, and Disabled</li> <li>•Supplemental Nutrition Assistance Program (SNAP)</li> <li>•Earned Income Tax Credit (EITC)</li> <li>•Low Income Home Energy Assistance (LIHEAP)</li> <li>•State Property Tax Relief/Rebates</li> <li>•Supplemental Security Income (SSI)</li> <li>•Employment Programs</li> <li>•Telephone and Cellphone Assistance</li> <li>•Transportation Assistance</li> </ul>	<ul style="list-style-type: none"> <li>•Medicaid for Children</li> <li>•State Children's Health Insurance Program (SCHIP)</li> <li>•TANF-Child Only Grants</li> <li>•Supplemental Security Income for Children</li> <li>•Child Care Assistance</li> </ul>

**Benefits.gov**

An official website of the federal government, this resource has state specific information on benefits, in addition to a screening tool to find out which programs you may be eligible to receive.

[www.benefits.gov](http://www.benefits.gov)

**Eldercare Locator**

The National Eldercare Locator service helps you find your local area agency on aging and other state and local resources that can help with public benefits, local programs and other services for older adults.

1-800-677-1116 (toll-free)

[www.eldercare.gov](http://www.eldercare.gov)

**Key Public Benefits: Income**

Each state administers federal funds that provide cash assistance to families in need. Some states also offer other forms of financial assistance.

**Temporary Assistance to Needy Families (TANF)**

Cash assistance may be available to eligible children and their relative caregivers.

**NMWorks**

New Mexico Human Services Department

1-800-432-6217 (toll-free)

[www.hsd.state.nm.us/LookingForAssistance/Temporary\\_Assistance\\_for\\_Needy\\_Families.aspx](http://www.hsd.state.nm.us/LookingForAssistance/Temporary_Assistance_for_Needy_Families.aspx)

To apply online – Go to [www.hsd.state.nm.us/LookingForAssistance/apply-for-benefits.aspx](http://www.hsd.state.nm.us/LookingForAssistance/apply-for-benefits.aspx)

**Generations United's Grand Resources:**

[A Fact Sheet for Grandparent and Relative Caregivers to Help Access Support through the Temporary Assistance for Needy Families \(TANF\) Program](#)

[www.gu.org/RESOURCES.aspx](http://www.gu.org/RESOURCES.aspx)

**Social Security**

A multigenerational program, Social Security provides income benefits to adults, older adults and children. In addition to [Retirement](#) and [Disability](#) benefits, [Survivor's Benefits](#) are based on a child's parent's earnings and may help if a child's parents die. Your grandchild may also qualify for benefits based on your work record. The [Supplemental Security Income](#) (SSI) program pays benefits to disabled [adults](#) and [children](#) who have limited income and resources. SSI benefits are also payable to people 65 and older without disabilities who meet the financial limits.

**Online Directory** - To find your local Social Security Administration office.

1-800-772-1213 (toll-free)

<https://secure.ssa.gov/>

## Key Public Benefits: Nutrition

Relative caregivers and their families may be eligible for assistance with groceries, meals, infant formula and nutrition education. These are some of the key nutrition benefits programs and resources.

### Supplemental Nutrition Assistance Program (SNAP)

SNAP is the new name for the federal Food Stamp Program. It helps low-income individuals and families buy the food they need for good health. Although SNAP is the national name, your state may use a different name.

#### New Mexico Supplemental Nutrition Assistance Program

New Mexico Human Services Department

1-800-432-6217 (toll-free)

[www.hsd.state.nm.us/LookingForAssistance/](http://www.hsd.state.nm.us/LookingForAssistance/)

To apply online - Go to [www.hsd.state.nm.us/LookingForAssistance/apply-for-benefits.aspx](http://www.hsd.state.nm.us/LookingForAssistance/apply-for-benefits.aspx)

### Food and Nutrition Services of the U.S. Department of Agriculture (USDA)

**Child Nutrition Program** - The schools, early childhood education programs, child care centers, afterschool programs or other programs that children attend may offer free or reduced meals through the federal Child Nutrition Program, which provides breakfast, lunch, snacks, summer meals and milk. Contact the school, center or program to ask if they participate in any of the child nutrition programs and how to apply. Relative caregivers should inform the program that they are raising the child and whether or not they are doing so through a court order.

**Online State Directory** - To find your state office that manages the Child Nutrition program.

[www.fns.usda.gov/cnd/Contacts/StateDirectory.htm](http://www.fns.usda.gov/cnd/Contacts/StateDirectory.htm)

**Women, Infant and Children (WIC)** - States administer federal funds for supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk.

**Online State Directory** - To find your state office that manages the WIC program.

[www.fns.usda.gov/wic/wic-contacts](http://www.fns.usda.gov/wic/wic-contacts)

### Foodbanks

Organizations that provide free food and sometimes other items, such as diapers, to families in need.

**Online State Directory** - To find local food banks.

[www.feedingamerica.org/foodbank-results.aspx](http://www.feedingamerica.org/foodbank-results.aspx)

## Key Public Benefits: Health Care

Relative caregivers and the children they are raising may be eligible for health insurance through Medicare and/or Medicaid and help with prescription drugs. **Benefits QuickLINK** can help you find these benefits.

[www.aarp.org/quicklink](http://www.aarp.org/quicklink)

### Health Insurance for Children

Relative caregivers may apply for free or low-cost health and dental insurance for the children they are raising through the Children's Health Insurance Program (CHIP), which provides health coverage to eligible children through both Medicaid and separate CHIP programs. CHIP and Medicaid are the national names, and your state may use different names.

#### Centennial Care

New Mexico Human Services Department

1-888-997-2583 (toll-free)

[www.hsd.state.nm.us/Centennial\\_Care.aspx](http://www.hsd.state.nm.us/Centennial_Care.aspx)

To complete an application by phone - Call the Human Services Division's Medicaid Expansion Hotline at 1-855-637-6574 (toll-free).

To complete an application online - Go to [www.hsd.state.nm.us/LookingForAssistance/apply-for-benefits.aspx](http://www.hsd.state.nm.us/LookingForAssistance/apply-for-benefits.aspx)

### Consent to Obtain Health Care

Even with insurance, consenting to health care for a child can be a challenge for relative caregivers who do not have legal custody. Some states have laws that allow these caregivers to "consent" to such treatment.

**Grandfamilies.org Online Database** - To see if your state has such a law.

[www.grandfamilies.org/Search-Laws](http://www.grandfamilies.org/Search-Laws)

## Key Public Benefits: Tax Credits

The following information is about tax credits from the federal government available throughout the United States. Similar tax credits may exist in your state for state taxes. For example, according to the Center on Budget and Policy Priorities (CBPP), 26 states and the District of Columbia offer a state tax credit based on the federal Earned Income Tax Credit (EITC) and four states offer a Child Tax Credit. See CBPP's **"Get it Back Campaign"** for more information on state tax credits.

**Earned Income Tax Credit (EITC)** is an income tax credit for workers who do not have high incomes. It is a refundable tax credit, which means you could get a refund check from the U.S. Internal Revenue Service (IRS) even if you don't earn enough to pay taxes.

**Child Tax Credit** is a tax credit for up to \$1,000 per dependent child. But, it is not refundable.

**Additional Child Tax Credit** may help if you don't owe enough taxes to benefit from the child tax credit. Unlike the child tax credit, this tax credit is refundable.

**Child and Dependent Care Tax Credit** may help you if you've hired someone to help care for the child so you could work or look for work. If so, you may be able to claim up to \$3,000 in expenses per child.

**Adoption Tax Credit** can help if you have adopted your grandchild or other relative. It can give you a credit for the money you spent to adopt. If you adopted a child from the foster care system with special needs, you may be eligible for the maximum amount of credit for the year you adopted regardless of whether you had any qualifying expenses. If you did not adopt from the foster care system, you must have qualifying expenses like legal fees. This tax credit allows adoptive parents to claim up to \$13,460 per child.

Please note that tax credits themselves are not counted as income. They will not be counted when you apply for financial help.

**Center for Budget and Policy Priorities (CBPP)** – To find out about tax credits in your state.  
[www.cbpp.org](http://www.cbpp.org)

**The U.S. Internal Revenue Service (IRS)** – To find out more information about each of these tax credits  
[www.irs.gov](http://www.irs.gov)

## Education

The **U.S. Department of Education** offers a **parent site** that has a wide range of helpful information for parents *and* caregivers regarding children's education from early childhood through college, special needs, disabilities, language challenges and gifted students.

1-800-USA-LEARN (1-800-872-5327) (toll-free)  
[www.ed.gov/parents](http://www.ed.gov/parents)

**New Mexico Public Education Department**  
505-827-5800  
[www.ped.state.nm.us](http://www.ped.state.nm.us)

## Educational Enrollment

Relative caregivers can contact their local school district's administrative office or their local school to find out how to register the child and what paperwork is needed. Caregivers may need birth records, health records or previous school records. Some states have laws that allow relative caregivers without legal custody or guardianship to enroll the children they are raising in school. These laws are often called education "consent" laws, but they may be called something else in your state.

**Grandfamilies.org Online Database** - To find out if your state has an education consent law.  
[www.grandfamilies.org/Search-Laws](http://www.grandfamilies.org/Search-Laws)

## Early Intervention, Special Education and Related Services

**The Federal Individuals with Disabilities Education Act (IDEA)** - From birth to age 21, children who have learning disabilities, physical disabilities or other special needs may be able to get early intervention,

preschool and special education services in school through the federal IDEA. Services may include speech, physical and occupational therapies.

The IDEA requires that states identify, locate and evaluate all children ages 3 to 21 with disabilities who may need special education and related services. Once the evaluation team, which includes a child's caregivers, has decided if a child is eligible for early intervention, preschool or special education services, an Individual Family Service Plan (IFSP; birth to three years of age) or an Individual Education Plan (IEP; three to 21 years of age) is developed and services should begin shortly.

**New Mexico Public Education Department, Special Education**

505-827-1457

[www.ped.state.nm.us/seb](http://www.ped.state.nm.us/seb)

**Family Infant Toddler Program**

New Mexico Department of Health, Developmental Disabilities Division

1-877-696-1472 (toll-free)

<https://nmhealth.org/about/ddsd/cpb/fit/>

**Parent Centers** across the country provide information to help parents *and* caregivers with children who have special education needs and disabilities.

**Online State Directory** - To find Parent Centers in your state.

[www.parentcenterhub.org/find-your-center/](http://www.parentcenterhub.org/find-your-center/)

**Generations United's Grand Resources:**

A Grandparent's and Other Relative's Guide to Raising Children with Disabilities

[www.gu.org/RESOURCES.aspx](http://www.gu.org/RESOURCES.aspx)

## Early Childhood Education

**Head Start** and **Early Head Start** are early education programs for eligible children.

**Online Directory** - To find Head Start or Early Head Start centers in your state.

1-866-763-6481 (toll-free)

[www.eclkc.ohs.acf.hhs.gov/hslc/HeadStartOffices](http://www.eclkc.ohs.acf.hhs.gov/hslc/HeadStartOffices)

**Child Care Aware** provides information, resources and connection to local Child Care Resource and Referral Agencies (CCR&R) that help you find local child care.

**Online Directory** - To find your local Child Care Resource & Referral Agency.

1- 800-424-2246 (toll-free)

[www.childcareaware.org/families/](http://www.childcareaware.org/families/)



## Legal

The following legal relationships may be options for both those children exiting the foster care system and those outside the system. For those families who do not want to establish a legal relationship, consent and power of attorney laws are available in several states.

All of the following options are presented in general terms. This area of the law is created at the state level, so how these options are defined and which ones are available can vary significantly by state.

### Adoption

With adoption, the relative caregiver becomes the parent in the eyes of the law. This fact makes access to services on behalf of the child the same as for any parent. Adoption ends all of the birth parents' rights and responsibilities, which means that birth parents cannot go to court later and reclaim those rights and responsibilities.

**Adoption assistance** payments may be available to relative caregivers who choose to adopt children in their care from the child welfare system.

**North American Council on Adoptable Children** - To get information about your state's subsidy, in addition to other adoption information.

[www.nacac.org](http://www.nacac.org)

**Dave Thomas Foundation for Adoption** - To find adoption resources that may be helpful to you.

[www.davethomasfoundation.org](http://www.davethomasfoundation.org)

### Guardianship

The biggest difference between adoption and guardianship is that guardianship does not take away all the birth parents' rights and responsibilities. Parents typically keep certain rights and the obligation to financially support the child. Unlike adoption, the parents can go back to court and ask for the guardianship to be ended. For caregivers, a guardianship allows them to access services on behalf of the child that otherwise might prove impossible while not changing family relationships, like making grandma legally mom.

**Guardianship assistance** payments may be available to relative caregivers who choose to get guardianship of the children in their care who are exiting the child welfare system.

**[www.grandfamilies.org](http://www.grandfamilies.org)** - To find out more about whether your state has guardianship assistance.

### Legal Custody

Legal custody is similar to guardianship, but it is usually granted by a different court that has different procedures.

## Other Options

In some states, relative caregivers who do not want or have a legal relationship to the children in their care have laws that make it possible to access health care treatment and educational services on behalf of the children without going to court.

For more information on all these options, and to see what exists in your state, see [www.grandfamilies.org](http://www.grandfamilies.org).

## State Laws

[Grandfamilies.org](http://www.grandfamilies.org) is a collaboration between [Generations United](#), [the American Bar Association Center on Children and the Law](#) and [Casey Family Programs](#). It contains an easy-to-use, searchable [database](#) of state laws and legislation directly impacting kinship families. You will also find explanations of legal topic areas, practical implementation ideas, personal stories and many other resources.

Topics Covered:

- Adoption
- Care and Custody
- Education
- Federal Laws
- Foster Care Licensing
- Financial Assistance
- Healthcare
- Housing
- Kinship Navigator Programs
- National Family Caregiver Support Program
- Notification of Relatives
- Subsidized Guardianship

The online database of laws and legislation is at [www.grandfamilies.org/Search-Laws](http://www.grandfamilies.org/Search-Laws).

## Updates

If you have an update or a resource to be included in this or any of the other GrandFacts State Fact Sheets, please email [grandfamilies@gu.org](mailto:grandfamilies@gu.org).

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**Data Sources:**

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