



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**

Office of Child Support Enforcement | 330 C Street, S.W., 5<sup>th</sup> Floor  
Washington, DC 20201 | [www.acf.hhs.gov/css](http://www.acf.hhs.gov/css)

July 9, 2020

Jeremy Toulouse, Director  
New Mexico HSD/Child Support Enforcement Division  
PO Box 25110  
Santa Fe, NM 87502

Dear Director Toulouse:

On June 26, 2020, OCSE received your request for flexibility under the Stafford Act pursuant to DCL-20-04. As a result of the impacts of the COVID-19 pandemic, New Mexico requested the following flexibilities:

1. The two business day timeframe set forth for forwarding applicable payments in accordance with 45 CFR 302.32(b)(1), (2)(i), and (ii) be extended to five business days for fully electronic payments, and 10 business days when manual processes are required.
2. The child support guidelines review required under 45 CFR 302.56(e) be extended one additional year.
3. The 90 calendar day timeframe set forth in 45 CFR 303.4(d) be extended to 180 calendar days.
4. The 30 calendar day timeframe set forth in 45 CFR 303.6(c)(2) be extended to 60 calendar days.
5. The 60 calendar day timeframe set forth in 45 CFR 303.6(c)(2) be extended to 120 calendar days.
6. The 20 calendar day timeframe set forth in 45 CFR 303.7(c)(4)(i) and (ii) be extended to 40 calendar days.
7. The 75 calendar day timeframe set forth in 45 CFR 303.7(d)(2)(i), (ii), and (iii) be extended to 150 calendar days.
8. The 10 working day timeframe set forth in 45 CFR 303.7(d)(3) be extended to 20 working days.
9. The 10 working day timeframe set forth in 45 CFR 303.7(d)(4) be extended to 20 working days.

10. The 30 calendar day timeframe set forth in 45 CFR 303.7(d)(5)(i) be extended to 60 calendar days.
11. The 30 calendar day timeframe set forth in 45 CFR 303.7(d)(5)(ii) be extended to 60 calendar days.
12. The 10 working day timeframe set forth in 45 CFR 303.7(d)(9) be extended to 20 working days.
13. The 15 business day timeframe set forth in 45 CFR 303.8(b)(7)(ii) be extended to 30 business days.
14. The two business day timeframe set forth in 45 CFR 303.100(e)(2), 303.100(e)(3), 454A(g)(1)(A)(i), and 453A(g)(1) be extended to five business days for fully electronic payments, and 10 business days when manual processes are required.
15. The two business day timeframe set forth in 45 CFR 307.11(c)(1)(i) be extended to five business days.

In accordance with the Stafford Act, the requested modifications are approved beginning March 11, 2020, and expiring at the end of the major disaster declaration for your jurisdiction. Please maintain communication with your Regional Program Manager regarding the status of your state's major disaster declaration.

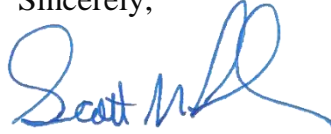
The following additional request cannot be approved at this time as it is beyond an administrative program requirement that can be waived or modified under the Stafford Act authority.

To modify the increase to the FMAP, for TANF Recovery State Share impact, from the 6.2% increase implemented under the Federal Cares Act, now at 78.91% back to the previous FFY21 FMAP of 72.71%.

Section 6008 of the Families First Coronavirus Response Act (FFCRA) provides a temporary 6.2% increase to each qualifying state and territory's FMAP under section 1905(b) of the Act, effective January 1, 2020 until the public health emergency ends. Because, by statute, the child support program non-federal share rate for retained collections is derived from the regular Medicaid matching rate through cross-reference to section 1905(b) of the Act, the new FMAP enhancement also applies to the child support program. This increase in the FMAP rate of the non-federal share under the Title IV-D program corresponds with the TANF program's eligibility for the FMAP increase under FFCRA, as FFCRA does not exempt either program from the increase. The FMAP increase also applies to the state Medicaid, CHIP, IV-E, and child care programs providing economic relief to the state overall.

If you have any questions concerning the approved request or need technical assistance, please contact Dana Huckabee at [Dana.Huckabee@acf.hhs.gov](mailto:Dana.Huckabee@acf.hhs.gov).

Sincerely,



Scott M. Lekan  
Acting Commissioner

cc: Dana Huckabee, OCSE Regional Program Manager, Region 6  
Melissa Johnson, Director, OCSE Division of Regional Operations  
Yvette Riddick, Director, OCSE Division of Policy and Training