


---

## General Information Memorandum

---

### ISD-GI 16-52

**TO:** ISD Employees & SL Start Employees  
**FROM:** Sean Pearson, Deputy Secretary, Income Support Division   
**RE:** Diversion Payments and ASPEN  
**DATE:** October 21, 2016

This GI is to serve as a reminder of when to issue a Diversion payment versus a monthly NMW Cash benefit.

In order to be considered for a Diversion payment, an applicant must be otherwise eligible for NMW cash assistance, however monthly cash assistance is not needed to meet their basic needs, because they have on-going financial support. The applicant must have never received cash assistance or their cash benefit case has been closed for one or more calendar months. If the cash assistance is closed due to a third level sanction and is still within the 6 month case closure, the Diversion payment will be denied. A Diversion payment should be denied when there is no evidence that the person does not have financial means to meet their ongoing expenses. Once a determination has been made to approve a Diversion payment, the person will be locked out of NMW Cash Assistance for a period of 12 months.

The purpose of a Diversion payment is to alleviate a specific unexpected short term need:


1. To accept a bona fide job offer
2. To retain employment
3. To remedy an emergency situation

Short-term need is defined as a non-recurrent, emergency or crisis-based need. Non-recurrent, short-term benefits are designed to address a participant's or household group's specific emergency situation or episode of need. Below are a few scenarios in which a Diversion payment may be issued to a household group:

- The participant needs equipment, tools, apparel, or uniforms in order to begin working.
- The household receives a job offer, but needs repairs to their vehicle to be able to accept the job offer.

- The household is in danger of getting evicted from the residence and needs an emergency payment until the participant gets a paycheck. This type of payment includes the threat of possible or persistent homelessness, paying overdue rent or utility arrearages and utility payments to prevent termination of services; payment of security deposits; payment of first month's rent; budget and or other counseling.
- The participant has accepted a job and needs assistance with housing expenses to be closer to their job.
- In the case of disaster victims: Replacement of personal items such as furniture or clothing or assistance with securing new or temporary housing (payment of security deposit, first month rent).
- The participant needs their vehicle repaired and that vehicle is their means of transportation to and from work.

The applicant is eligible for child care and transportation support services. During the review of the FAP 051, the support services must be addressed. If the participant does want the support services a referral to the NMW contractor will be generated. The NMW contractor will meet with the participant and help them with the available support services. The caseworker will ensure a case comment is entered stating whether the participant accepted or declined the support services.

		FAP 051 REVISED 02/28/2013 <b>Income Support Division</b>
<b>NEW MEXICO WORKS AGREEMENT TO ACCEPT A DIVERSION PAYMENT</b>		
Case Name	Case Number	Date
<p>A diversion payment is a lump sum cash payment (\$1,500 for 1-3 household members and \$2,500 for 4 or more household members) issued by the New Mexico Human Services Department. The payment is made to applicants who apply and are eligible for New Mexico Works (NM Works) cash assistance, but choose to accept the diversion payment instead.</p> <p>The diversion payment is to help individuals with a specific need. A specific need can be an item or type of assistance which will allow the applicant to keep a job or accept a bona fide offer of employment, remedy an emergency situation or alleviate a short term need. Such assistance may include, cash, support services, housing, transportation, car repairs, and uniforms.</p> <p>This form explains the diversion payment procedure. There are some questions you will have to answer and some information that you have to provide the department. If you have any questions, please ask your caseworker to explain.</p> <p><b>As a recipient of a Diversion Payment, I agree that:</b></p>		
1) I have never received cash assistance in New Mexico. 2) I have received cash assistance in New Mexico. The date cash assistance was last received: Month: _____ Year: _____ Place: _____ 3) I have never received a diversion payment from another state. 4) I received a diversion payment in NM or another state. The amount received, date and the state from which a diversion payment was received: Month: _____ Year: _____ State: _____ Amount: \$ _____		Initial box below to certify acknowledgment of all statements.  <input type="checkbox"/>
<p><b>The terms and conditions for receipt of a diversion payment have been discussed with me, and I understand and agree:</b></p>		
1) That if I have to apply for NM Works cash assistance after receiving a diversion payment to meet ongoing needs I must show good cause. 2) That accepting the diversion payment will not affect my eligibility for Medicaid and Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp Program). 3) That by accepting a diversion payment, I am not subject to sanctions (reduction in benefits) for failure to meet the NM Works Program requirements or the Child Support Enforcement cooperation requirements. 4) That receiving a diversion payment does not count towards the 60-month time limit of the TANF cash assistance program. 5) That accepting a diversion payment will not affect my eligibility for the NM Works cash assistance program based on good cause (beginning the first day of the fifth month after receipt; the first month will begin with the month that the diversion payment is authorized).		Initial box below to certify acknowledgment of all statements.  <input type="checkbox"/>
<p>Good cause must be approved and may include:</p> <ul style="list-style-type: none"> <li>• Loss of employment, but not a voluntary quit</li> <li>• Catastrophic illness or accident of a family member which requires an employed participant to leave employment</li> <li>• A victim of domestic violence</li> <li>• An emergency that renders an employed family member unable to care for the basic needs of the family.</li> </ul>		

Please describe the reason why a Diversion Payment would be better for you than regular TANF/NMW cash assistance to meet the monthly needs of your family. Describe how you will use the diversion payment to alleviate your non-recurring, short term need.

---



---



---

The diversion payment is limited to two Diversion Payments in an applicant's 60-month TANF lifetime limit. The amount of the diversion payment is:

\$1,500 for one to three benefit group members; OR  \$2,500 for four or more benefit group members.

If I receive the Diversion Payment, I am not required to meet TANF/NMW Work Program requirements, but I may be eligible to receive support services. These are services offered by TANF/NMW to help a person while in training or working. You will be referred to a NMW service provider for support services such as child care and transportation.

Please check any of the services that you may need. Your caseworker will provide you with more information on support services.  Child Care  Transportation  Service Provider Referral

I have read this agreement, the caseworker has explained the agreement, and has answered my questions. The information that I have provided is true and correct. I agree to the terms of the agreement.

Applicant Signature

Date

Worker Signature

Date

The caseworker will ensure that the following documents are scanned into ECF prior to any approval of the Diversion payment:

## 1. FAP 051- Agreement to Accept A Diversion Payment

The screenshot shows the 'Electronic Case File' interface. The 'Work/Program' tab is selected. A table lists documents with the following data:

Document Title	Document Details	Name	Received Date	Scanned Date	Status
FAP 051 Agreement to Accept A Diversion Payment			02/05/2016	02/05/2016	

Below the table is a section for 'Duplicate Documents' with a similar header.

## 2. Proof of ongoing income or statement of job offer

The screenshot shows the 'Electronic Case File' interface with the 'Income' tab selected. A table lists documents with the following data:

Document Title	Document Details	Name	Received Date	Scanned Date	Status
SD 458 Employment Verification			12/15/2015	12/15/2015	Complete
SD 458 Employment Verification			07/21/2016	07/21/2016	Complete
Proof of Income			07/29/2016	07/29/2016	

Below the table is a section for 'Duplicate Documents' with a similar header.

### 3. Verification of the Expense

The screenshot shows the 'Electronic Case File' interface. At the top, there are navigation tabs: PCF, All, Applications, Visits, Medical, Assets, Income, Expenses, Legal, Work Program, Child Support, Fostering, BRU, OIG, Restrictions, and Other. The 'Expenses' tab is selected. Below the tabs is a table with columns: Document Title, Document Details, Name, Received Date, Scanned Date, and Status. A row is visible with 'LEASE AGREEMENT' as the document title, received on 07/21/2016, scanned on 07/21/2016, and status 'Complete'. Below this table is a section for 'Duplicate Documents' with a similar table structure.

Once the case is ready to be certified, the caseworker will send a 2<sup>nd</sup> party review to the County Director. The County Director will review the Diversion Payment Request and make the determination whether to approve or deny the request. The County Director will ensure a case comment is entered explaining the approval or denial of the Diversion Payment. Then the case can be certified and the Diversion payment will be issued to the participant via their EBT card.

The screenshot shows the 'Certification' interface. At the top, there are navigation icons and a version number 'v10000 7.3.00 / 16 Page'. Below this, there are fields for Case Name, Case #, Case Action (Intake), and Case Status (Pending). A 'Filtering Representative' field is also present. The main part of the interface is a table with columns: EDC #, COE, Benefit Period, Eligibility Action, Benefit Status, Disposition Status, Benefit Amount (\$), Override, and Certify. A row of data is shown: Diversion 09/01/2016 - 09/30/2016, Approved, Certify, 1500.00, No, and a checkbox. Below the table, there is a 'Certification Reason' field with the text 'Eligibility approved'. Further down, there are radio buttons for 'Return for Correction' and 'Supervisor Approved', and a 'Select All' checkbox. A dropdown menu is open under 'Return for Correction' with options: Deduction, NH Comp, Income, Negative Action, Other Reason, Resource, and System Coding. At the bottom, there is a 'Comments' field and a row of buttons: Eligibility Summary, Previous, Reset, Initial, Certify, and Next.

This GI will rescind MR 10-10 Forms Manual Revisions: Agreement to Accept a Diversion Payment.

If you have any questions regarding this GI, please contact Suzanne Duran-Vigil at 505-827-7289 or [SuzanneP.Duran-Vigi@state.nm.us](mailto:SuzanneP.Duran-Vigi@state.nm.us)