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## Manual Revision Memorandum

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**ISD-MR 14-08**

**TO:** ISD Employees  
**FROM:** *MM* Marilyn Martinez, Acting Director, Income Support Division  
**RE:** Electronic Benefit Transfer (EBT) Transactions  
**DATE:** March 21, 2014

This manual revision (MR) is being sent in coordination with NM Human Services Register (HSR) Vol. 37 No. 22. This MR is being sent to outline changes to the policies contained in the HSR including: Direction that EBT transactions shall not be in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. Amendments incorporated into these TANF and Cash regulations are effective April 1st, 2013.

This MR supersedes all previous MRs, IPPs, GIs, and all other memorandums, directives, flow charts, organizational charts, procedures, and policies published by the Income Support Division dealing with the subject contained in this MR. recession.

**Instructions:**

Delete - 8.102.610 NMAC, Section 8  
8.106.610 NMAC, Sections 8

Replace- 8.102.610 NMAC, Section 8 (as amended)  
8.106.610 NMAC, Sections 8 (as amended)

This form has been posted to the forms drive: [\\disfasv025\ISDForms](#)

If you have questions regarding this MR, please contact Richard McIntyre at (505)827-3142 or by e-mail at [Richard.McIntyre@state.nm.us](mailto:Richard.McIntyre@state.nm.us).

Attachments: NM Human Services Register Vol. 37 No. 22

BACKGROUND/ISSUE	
	<p>Section 4004 of the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96) requires receiving TANF grants to “maintain policies and practices as necessary to prevent assistance provided under the State program funded under this part from being used in any electronic benefit transfer transaction in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.”</p> <p>Regulations at 8.102.610.8 NMAC and 8.106.610.8 NMAC were amended. These regulations now include direction that EBT transactions shall not be in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.</p>
MANUAL REVISIONS	
Effective: 4/01/14	<p><b><u>Instructions:</u></b></p> <p>Delete -       8.102.610 NMAC, Section 8                       8.106.610 NMAC, Sections 8</p>
Effective: 4/01/14	<p>Replace-       8.102.610 NMAC, Section 8 (as amended)                       8.106.610 NMAC, Sections 8 (as amended)</p>
POLICY	
	<p><b>8.102.610 NMAC – Description of Program/Benefits – Benefit Delivery</b> <b>Section 8 – Cash Assistance</b> <i>Subsection (J) – Death of Client</i> (4) EBT transactions shall not be in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.</p> <p><b>8.106.610 NMAC – Description of Program/Benefits – Benefit Delivery</b> <b>Section 8 – Method of Payment</b> <i>Subsection (C) – EBT transactions</i> EBT transactions shall not be in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.</p>
ASPEN UPDATES	
	None