



Know Your Rights:

Federal Changes to SNAP Food Assistance

April 21, 2026

Instructions for interpretation

1. At the bottom of the Zoom window, click Interpretation.
2. Click the language that you would like to hear.

Instrucciones para iniciar la traducción

1. En la parte inferior de la ventana de Zoom, haga clic en "Interpretation".
2. Haga clic en el idioma que le gustaría escuchar.

English and Spanish
interpretation available!



Interpretation

✓ Off

English

French

Mute Original Audio



Interpretation

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**Today's webinar is being offered in English
with Spanish interpretation.**

**Full Spanish version of this webinar
coming May 2026**

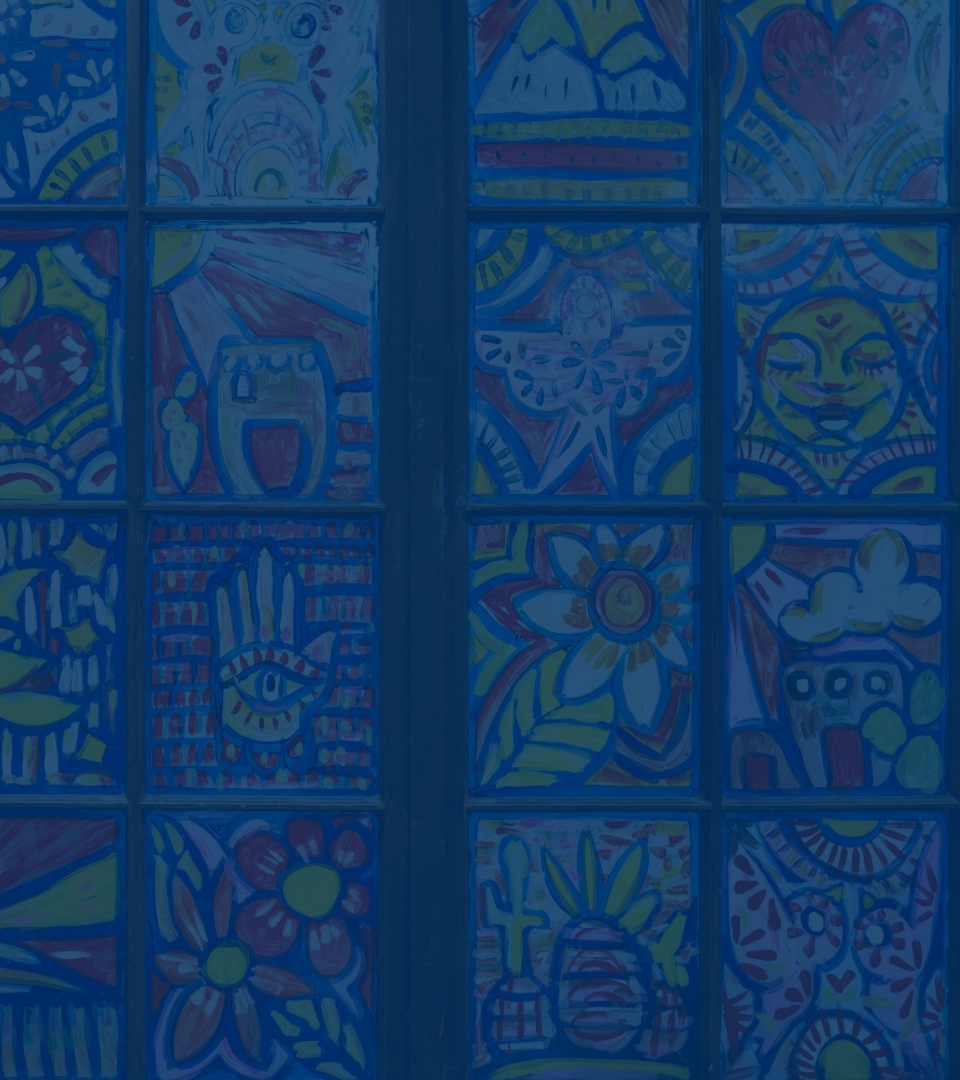


New Mexico Center on Law and Poverty

We envision a New Mexico that is vibrant with opportunities, and where all people's human rights - including the rights to food, housing, healthcare, a living wage, education, and equal access to justice - are met.

- Impact Litigation
- Policy Advocacy
- Community Engagement





What we will cover today:

- Who Qualifies for SNAP
- Changes to Federal Law
- Important Rights
- Questions

Supplemental Nutrition Assistance Program “SNAP”

Provides a monthly benefit on an Electronic Benefit Transaction (EBT) card that families can use to purchase unprepared food.

Families must meet four requirements to qualify:



Income



**State
Residency**



**Citizenship &
Immigration**



**Work
Requirements**

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Income Limits for SNAP

Income limits are based on the federal poverty levels (FPL), which change every year.

Household Size	Total Monthly Household Income (Gross Income) 200% FPL	Household Income After Deductions (Net Income) 100% FPL	Maximum Benefit Amount
1	\$2,610	\$1,305	\$298
2	\$3,526	\$1,763	\$546
3	\$4,442	\$2,221	\$785

Resource: Health Care Authority (HCA) income limits [linked here](#)



Expedited SNAP

Benefits must be available within **7 days** for households meeting either condition:

Low Income & Resources

Less than \$150 monthly income and less than \$100 in resources (e.g., bank accounts).

High Housing Costs

Monthly housing costs exceed the household's total income.

Interview Required: Documents are not required for expedited approval, but an interview must take place.

Changes to Federal Law

In July 2025, President Trump signed **House Resolution 1** into law.

SNAP Eligibility Changes

Major changes to who qualifies for SNAP:

- More adults must meet work requirements.
- Fewer immigrants will qualify for SNAP.

Implementation Timeline

Changes start when people apply or renew in **2026**.

Expanded Work Requirements

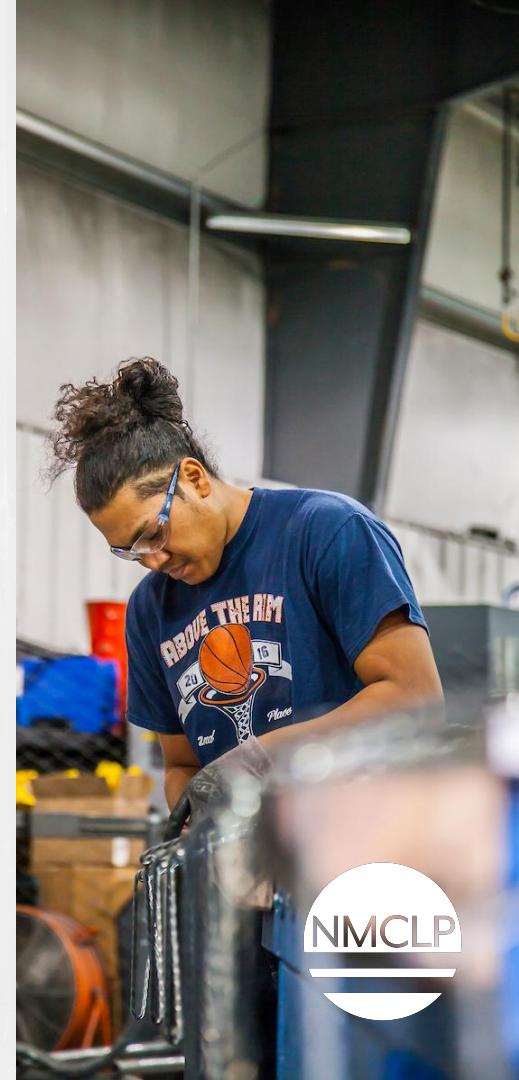
Who: *Some* adults age 18-65

What is required:

- You must work, attend training, or volunteer at least 80 hours/per month.
- You must document your activity or exemption when you apply/renew.

Penalties for individuals who do not meet requirements:

- You will lose SNAP after 3 months of not complying.



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Many Adults are Exempt from the Work Requirements

You are exempt if you are:

- Working 20 hours/week or earning \$217.50/week or less
- Under 18 or over 64 years of age
- Living with someone under age 14
- Pregnant
- Unable to work
- Taking care of someone requiring a caregiver
- Enrolled half-time in school/training
- Participating in drug/alcohol treatment
- Applying for or receiving Unemployment, Disability (SSI/SSDI), or General Assistance
- **Native American**
- **Living in Waived Areas:** (Luna County or Laguna, Taos, San Felipe, or Tesuque Pueblos)



How to Get an Exemption

Generally, an applicant's statements are acceptable proof that they qualify for an exemption, unless the agency has a reason to find it questionable.

Action Step: You can use the form we created, [linked here](#)

Proving a Disability Exemption

People with mental or physical disabilities that make it difficult to work can be exempt from work rules.

You can prove you are disabled if:

- You have applied for or are receiving disability benefits.
- You are enrolled in a program for people with disabilities - like Division of Vocational Rehabilitation.
- You have a note from a medical or mental health professional
- You are “chronically homeless”.
- Your disability is clearly visible or apparent to agency workers.

Action Step: Use our form to prove a disability exemption, [linked here](#)



Exemption for People Who are “Chronically Homeless”

The state has adopted a policy that says anyone who is “chronically homeless” is unfit for work and does not have to meet any SNAP work requirements.

Chronically Homeless means:

- Have been homeless for more than 6 months;
- Have been homeless more than one time in the last year; or
- Are unable to meet basic necessities of everyday life. This includes shelter, food, clothing, heat, lights, and running water.

Resource: View HCA Policy - IPP 18-04, [linked here](#)



Meeting Work Requirements

Compliance means:

- Working for wages;
- Working in exchange for goods or services;
- Volunteering your time; or
- *Participating in an employment and training program that meets federal requirements.

**New Mexico does not currently have a program and the earliest a program will likely be available is August of 2026.*



Showing You Are Meeting Work Requirements

Submit **one** of the following forms of proof:

- **Pay stubs, time sheets,** or other proof of payment for work.
- **A written statement from an employer** or supervisor/individual who supervised your work/volunteering.
- **The HCA's form** called the ABAWD 002.
- **Our form** we have created, [linked here.](#)

If you cannot turn in a form, you can ask HCA for help.

They can call the person who can verify your work.



If You Do Not Meet Requirements and Are Not Exempt

Termination from SNAP

You will be terminated if you:

- Are not exempt; **AND**
- Receive SNAP; **AND**
- Do not meet work requirements for ***three months*** (do not have to be consecutive).

Regaining Benefits

You can get SNAP again if:

- You meet requirements for 30 days; **OR**
- The lock-out period ends (May 31, 2026 or May 31, 2029); **OR**
- You become exempt.

Action Required: Anyone who lost benefits prior to May 31, 2026 due to work requirements should **reapply June 1, 2026**.

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If Your Benefits Are Terminated:

Other household members will still get benefits, but the amount will be reduced for the household.

Seek legal help by contacting NM Center on Law and Poverty or NM Legal Aid.

Benefits can be reinstated if the individual meets the requirements, the termination was incorrect, the individual becomes exempt, or the three-year clock resets (the next reset will happen on May 31, 2026).



Know Your Rights

The Health Care Authority (HCA) must:

- **Screen all applicants/participants for exemptions.**
- Offer help and assist individuals as needed to document an exemption or compliance;
- Provide an explanation of the work rules in writing and verbally in an interview;
- Evaluate whether there is a good reason why someone could not comply with the requirements and if so, not count a month towards the three month limit.



Immigrant Eligibility Changes to SNAP



Immigration Statuses that Qualify for SNAP

Effective January 2026, only three categories of immigrants qualify:



Green Card Holders



**Cuban & Haitian
Entrants**



**Compact of Free
Association Citizens
(COFA)**

Micronesia, Marshall Islands, & Palau
citizens living/working in U.S.

Refugees and asylees who previously qualified based on human rights status will no longer qualify **UNLESS their status has changed** to one of the categories above.

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How the changes Will Be Implemented:



Individuals who are not in the three eligible statuses will be **denied** at application or **terminated** when they renew benefits.



Other household members that are US citizens or in statuses that qualify for SNAP will **continue to get benefits**, but at a lower amount.

Know Your Rights - Lawful Permanent Resident Status

- The HCA must check if an individual's status has changed to a status that qualifies **before** denying or terminating benefits.
- Families who now have a LPR status (green card), should report that to HCA. **People who have a green card (LPR status) can keep SNAP benefits.**



The 5-Year Bar



Some immigrants must wait **5 years** to access benefits.

This typically applies to Lawful Permanent Residents (LPRs).



Good News! There are many exemptions to this rule.

The 5-Year Bar does **not** apply to many people!



There is **NEVER** a waiting period if the person is a lawful permanent resident **AND** one of the following is true:

- Are a Green Card Holder (Lawful Permanent Resident) who previously held this status:
 - Refugees
 - Individuals Granted Asylum
 - Deportation Withheld
 - Amerasians
 - American Indians Born Abroad
 - Hmong or Highland Laotian Tribal Members
 - Iraqi and Afghan Special Immigrants (SIV)
 - Certain Afghan Nationals Granted Parole Between July 31, 2021, and Sept. 30, 2023
 - Certain Ukrainian Nationals Granted Parole Between Feb. 24, 2022, and Sept. 30, 2024
 - Victims of Severe Trafficking
- Are a Cuban Haitian Immigrant
- Are a child under 18 years old
- Were lawfully residing in the U.S. and 65 or older on August 22, 1996
- Have a U.S. military connection
- Is blind or disabled
- Has 40 qualifying quarters of work



State Payments to Families Who Lose SNAP

Families who lose SNAP after **January 1, 2026** due to the immigrant eligibility changes can get a one-time payment to help as they transition off of SNAP.



Payment Amount: \$540 (One-time payment)



How to Receive: Issued to the family's existing EBT card.

Other Food Programs for Immigrants

- **WIC** is for pregnant people & children under 5, and is administered by the NM Department of Health.
- **SUN BUCKS** replace school lunches for families below 185% FPL during summer months and are administered by the HCA.

There are NO immigration requirements to qualify for either program.



Your Rights & Protections When Applying for SNAP



Important Rights for All New Mexicans Accessing SNAP

The HCA must:

- Explain eligibility rules to applicants.
- Explain what documents and information are needed.
- Provide a written explanation of what documents are needed and by when.
- Help the applicant obtain information or documents.

Right to Receive Help In the Language You Speak

Applicants have a right to an interpreter **AT NO COST**.

- Interpreters must be provided in **all languages**, not just Spanish.
- Applicants should never be asked to bring a family member or friend with them to interpret - especially in a healthcare setting where sensitive information may come up.
- All written materials (in print and online) must be in Spanish, Vietnamese, and Chinese.

Resource: Learn more about your rights to receive help in your language [HERE](#)



Mixed Status Families Can Apply for Household Members Who Qualify

- Immigrants who are not eligible for benefits themselves **may apply for** household members who are citizens or eligible immigrants.
- Household members who are **not** seeking benefits for themselves do NOT have to provide a Social Security Number or immigration documents.



How the State Agency Verifies Immigration Status

Applicants seeking benefits for themselves must prove citizenship or eligible immigration status.

Electronic verification should be attempted first, but paper documents can be used if the information cannot be confirmed by existing government databases.



How to Show Household Income

All household members (even non-applicants) must provide proof of income if it cannot be verified electronically.

Ways to Prove Income:

1. Pay stubs,
2. A letter from someone who knows the household, or
3. A sworn statement

Workers should not call an employer without an applicant's permission
– can get applicant fired!

An SSN is not required to verify income.



Will Getting SNAP Hurt My Immigration Status?

Public charge is a test to see if certain people applying for legal permanent residence (a green card) or for those applying or renewing for certain visas are likely to rely on the government as their main source of support.

- **Public Charge does NOT affect a citizenship application.**

NOTE: Although changes to public charge rules have been proposed, they have NOT changed yet.



Most People Never Have to Worry About Public Charge

Does not apply to everyone

Public charge does not apply to everyone. If you have a green card or no pathway to one, this does not affect you.

Specific Green Card Paths

Only those seeking a green card through family or entering from outside the US may be subject to this test.

Exempt Immigrants

Many immigrants, such as refugees and asylees, are exempt from a public charge test.

Consult an attorney if you are applying for a green card.

Only two types of public benefits count in a Public Charge test:

- Long term institutional care paid for by Medicaid.

Like residential care facilities.

- Ongoing cash assistance (TANF/GA and SSI)

But not regular emergency Medicaid. Exchange coverage, unemployment benefits, tax credits, and food stamps.



Is Public Charge Changing?

- As of November 19, 2025, the Trump administration has proposed ending the current public charge rule, but has not explained what will replace it. This makes it hard to know how officials will consider public benefits when they review a green card application in the future.
- **For now, the rule has not changed.** Food, housing, and most healthcare programs are not considered.
- If you are currently receiving public benefits, stopping them now won't likely affect your public charge determination. But only you know what is best for your family's future.
- If you are applying for a green card, or may wish to apply in the future, consult an attorney.



What to Do If SNAP Is Denied?

If you disagree with any decision in your SNAP case:

Appeal

Request a hearing through:

- **Phone:** 505-476-6213 or 800-432-6217 (option 6)
- **Mail:** Office of Fair Hearings, P.O. Box 2348, Santa Fe, NM 87504
- **Email:**
HSD-FairHearings@state.nm.us

Seek Legal Help!

Contact professional advocates:

NM Center on Law and Poverty
[\(505\) 255-2840](tel:5052552840)

NM Legal Aid
[\(505\) 243-7871](tel:5052437871)

Find all resources we shared today and many other resources related to SNAP in this BLOG, ([linked here](#)).





What Can New Mexico Do to Prevent Harm?

1. **Offer employment and training** to people subject to the work requirements.
2. **Use state funds** to ensure immigrant families who are losing SNAP can access food assistance.

Language Access & Upcoming Sessions

A **Spanish-only** session will be offered in the coming weeks.

We are committed to language access.

If your community would benefit from this information in another language, **we are open to partnering!**

Please contact our Community Engagement Coordinator Rita Carina Veleta: rita@nmpovertylaw.org





Questions?

Sovereign Hager, Public Benefits Director
sovereign@nmpovertylaw.org

Marco Alarid White, Public Benefits
Attorney
marco@nmpovertylaw.org

