

TITLE 8 SOCIAL SERVICES
CHAPTER 8 CHILDREN, YOUTH AND FAMILIES GENERAL PROVISIONS
PART 8 MULTI-LEVEL RESPONSE

8.8.8.1 ISSUING AGENCY: Children, Youth and Families Department (CYFD), Family Services Division (FSD).
[8.8.8.1 NMAC, NMAC, 01/27/27]

8.8.8.2 SCOPE: These regulations govern the initiation and implementation of the Multi-Level Response (MLR) system of the department that focuses on family assessment, engagement, and service provision without a formal disposition or perpetrator finding, when safety threats are low to moderate and manageable without coercive authority/court intervention.
[8.8.8.2 NMAC, NMAC, 01/27/27]

8.8.8.3 STATUTORY AUTHORITY: New Mexico Children’s Code, Section 32A-4-4.1, NMSA 1978
[8.8.8.3 NMAC, NMAC, 01/27/27]

8.8.8.4 DURATION: Permanent.
[8.8.8.4 NMAC, NMAC, 01/27/27]

8.8.8.5 EFFECTIVE DATE: October 1, 2026, unless a later date is cited at the end of a section.
[8.8.8.5 NMAC, NMAC, 01/27/27]

8.8.8.6 OBJECTIVE: To establish provisions for addressing reports of alleged child neglect that meet the criteria for multi-level response.
[8.8.8.6 NMAC, NMAC, 01/27/27]

8.8.8.7 DEFINITIONS: As used in these regulations.

A. “Investigation” means a traditional, for-cause response that determines a disposition for allegations of child abuse are substantiated and whether a perpetrator is identified.

B. “Family Assessment” means a structured, evidence-informed process grounded in family preservation best practices, used to collaboratively identify family strengths, needs, risks, and protective factors to inform service planning without a formal maltreatment determination.

C. “Safety and Risk Assessment” means a structured evidence-informed tool to identify immediate or impending danger to a child/youth and determine whether a Multi-Level Response (MLR) or an investigation is required.

D. “Service/Well-being Plan” means a plan that informs appropriate referrals to either internal department programming or to community-based programming and service provision based on the family assessment.

[8.8.8.7 NMAC, NMAC, 01/27/27]

8.8.8.8 PURPOSE OF MULTI-LEVEL RESPONSE (MLR) MODEL: The purpose of multi-level response (MLR) is to:

A. respond to reports of alleged child neglect with multiple pathways proportionate to the level of need and risk while ensuring child safety;

B. provide families with an alternative/differential response to investigations when they meet the criteria for MLR.; and

C. determine if an investigation by protective services division or a family services division response is warranted.

[8.8.8.8 NMAC, NMAC, 01/27/27]

8.8.8.9 ELIGIBILITY CRITERIA:

A. Only specific categories of neglect identified in department policy and identified using the SDM Intake tool are eligible for MLR.

B. All screened-in allegations of neglect that include allegations of sexual harm, near fatalities, or fatalities are assigned to investigation and are not eligible for MLR.

C. All screened-in allegations that involve children/youth already in foster care at the time of the report are assigned to investigation and are not eligible for MLR.
[8.8.8.9 NMAC, NMAC, 01/27/27]

8.8.8.10 INITIATION OF MLTI-LEVEL RESPONSE (MLR):

A. When an intake (SCI) worker determines that a screened-in report meets the criteria for MLR, the worker forwards the screened-in report, along with all supporting documentation, to the MLR supervisor for assignment.

B. The MLR supervisor assigns the report to a MLR advocate within one (1) business day.

C. The MLR supervisor completes a pre-initiation staffing with the assigned advocate prior to the advocate contacting the family.

[8.8.8.10 NMAC, NMAC, 01/27/27]

8.8.8.11 FAMILY ENGAGEMENT AND ASSESSMENT:

A. At the initiation of a case, the MLR advocate shall:

- 1) Contact all household members within five (5) business days of assignment.
- 2) Conduct a safety and risk assessment to ensure the wellbeing of all children/youth who reside in the home upon initial contact with the children/youth.
- 3) Invite the respective Nations/Pueblo/Tribe for case collaboration if they learn or have reason to know that a child/youth has or may have tribal affiliations.
- 4) Conduct a comprehensive family assessment with the family.
- 5) Develop a service/well-being plan in conjunction with the family.

B. If the family cannot be located, the assigned advocate and supervisor meet to determine if there are alternative ways to locate or if the case shall be closed or reassigned for an investigation.

C. If the family refuses collaboration, the assigned advocate and supervisor meet to determine if there are alternative ways to engage the family or if the case shall be closed or reassigned for an investigation.

D. At any time, if the MLR advocate assesses a child to be unsafe and/or the case requires an investigation, the MLR advocate and supervisor shall contact Statewide Central Intake (SCI).

[8.8.8.11 NMAC, NMAC, 01/27/27]

8.8.8.12 SERVICE PROVISION AND REFERRALS: MLR advocates shall:

A. Make a referral to In-Home Services, Family Support Services, or external provider(s) via a warm handoff after completing the service/well-being plan.

B. Follow up with the provider and family after the referral to determine if there are additional support or alternative resources needed to help the family.

C. If the family has not engaged with the initial services referred, meet with the family to re-evaluate the service/well-being plan.

D. Follow up regularly with family and providers to check status of engagement and potential need for alternate/additional referrals regularly in the first 360 calendar days of the case assignment.

[8.8.8.12 NMAC, NMAC, 01/27/27]

8.8.8.13 CASE CLOSURE: The supervisor closes the case after the 30-day check-in if there is confirmation the family is engaged in a service and the assessment determines there are no other identified needs left unsupported.

[8.8.8.13 NMAC, NMAC, 01/27/27]

8.8.8.14 EVALUATION AND REPORTING REQUIREMENTS: The department shall:

A. Provide an annual report of system implementation and outcomes to the legislative finance committee, the interim legislative health and human services committee, the interim legislative committee that studies courts, corrections and justice and the department of finance and administration as part of the department's budget submission.

B. Arrange for an independent evaluation of the MLR system, including examining outcomes for child safety and well-being and cost-effectiveness.

C. Incorporate the MLR system into the department's quality assurance review process.

D. Develop performance measures, as provided in the Accountability in Government Act [Chapter 6,

Article 3A NMSA 1978] for MLR.
[8.8.8.14 NMAC, NMAC, 01/27/27]

HISTORY OF 8.8.8 NMAC:

Established chapter and part, filed 05/15/2026

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