

2025 Regular Session

HOUSE BILL NO. 624

BY REPRESENTATIVES BERAULT, BILLINGS, COATES, AND MCMAKIN AND
SENATOR MIZELL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WORKFORCE COMMISSION: Transfers certain family and support programs from the Department of Children and Family Services to the Louisiana Workforce Commission and renames Louisiana Workforce Commission to Louisiana Works

1 AN ACT

2 To amend R.S. 11:780(C)(3)(a)(i), R.S. 14:68.2.1(A) and 74(D)(2), R.S. 15:933.1, R.S.

3 17:14.1(B)(1) and (C)(5), 3047.6(A) and (B), and 3914(M)(1) and (N)(1)(b), the

4 heading of Chapter 1 of Title 23 of the Louisiana Revised Statutes of 1950, R.S.

5 23:1, 2, 3, 6(introductory paragraph), (1), (2), (3), (7), and (15), 7, 12, 14, 17,

6 73(A)(1), (C), and (E)(2), 74, 75(A), (B), (C)(1), (D)(3), and (E), 76(A), (B), and

7 (C)(1), (2), and (8)(a), 78(introductory paragraph), (1), and (5), 1600(2) and (3)(a),

8 1693(I)(1), (2), and (3) and (J), R.S. 36:3(3), 4(introductory paragraph), and (A)(6),

9 the heading of Chapter 7 of Title 36 of the Louisiana Revised Statutes of 1950, 301,

10 308(A) through (B), and 309, R.S. 46:56(A), (B)(1), and (L), 107(A)(1), 231.4(A),

11 (D), and (F)(2), 352(1)(a) and (b) and (2)(a), 932(12), and 936, and R.S. 49:191(1)(f)

12 and 1402(1)(d), to enact R.S. 23:1.1, 6(16) through (26), and Chapter 11-B of Title

13 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1821

14 through 1915 and R.S. 46:107(E), and to repeal R.S. 23:18 and 34, R.S. 36:308(E),

15 R.S. 46:18, 101, 102, 102.1, 103 through 106, 108, 111 through 113, 114.1, 114.3,

16 114.4, 115, 116, 230.1, 231, 231.1 through 231.3, 231.5, 231.6, 231.12 through

1 231.14, 232, 233, 233.3, 234, 234.2, 235, 236, 237, Subpart E-2 of Part II of Chapter
2 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:301,
3 Subpart E-4 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of
4 1950, comprised of R.S. 46:321 through 328, Subpart E-5 of Part II of Chapter 3 of
5 Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:331 and
6 332, Part VI of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950,
7 comprised of R.S. 46:431 through 435, 441, 444, 447, 450.1, and Part IX of Chapter
8 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S.46:460.1
9 and 460.3 through 460.10 and R.S.49:1402(1)(a), relative to the reorganization and
10 restructure of the Louisiana Workforce Commission and the Department of Children
11 and Family Services to provide for certain family and support programs in the
12 Department of Children and Family Services (DCFS) being transferred to the
13 Louisiana Workforce Commission (LWC); to replace the Department of Children
14 and Family Services with Louisiana Works in certain provisions in Titles 11, 14, 15,
15 and 46 of the Louisiana Revised Statutes of 1950 that reference DCFS programs that
16 will be transferred into Louisiana Works; to change the name of the Louisiana
17 Workforce Commission to Louisiana Works; to establish the purpose of Louisiana
18 Works; to establish additional duties and powers of the department; to provide for
19 the powers and duties of the secretary of Louisiana Works; to provide definitions;
20 to provide for integrated case management and service integration of social service
21 programs; to provide for the integration of workforce and public assistance
22 development programs; to provide for grants to local workforce development areas;
23 to provide for deductions for overissuance of SNAP benefits; to provide for the
24 organization of social services programs within Louisiana Works; to provide rules
25 and regulations for the department for the purposes of granting, administering, and
26 investigating claims for public assistance benefits; to provide for the Public
27 Assistance Fraud Hot-Line; to provide for the Fraud Detection Fund; to provide for
28 SNAP Nutrition Education; to provide for the SNAP Workforce Training and
29 Education Program; to provide for duties of the department in regards to

1 administering SNAP; to provide for the duties of customers for maintaining
 2 eligibility of SNAP benefits and satisfying SNAP requirements; to provide for
 3 notification for certain legislative reports and reporting; to provide for the SNAP
 4 work requirements; to provide for aid to needy families, such as the Temporary
 5 Assistance for Needy Families (TANF) and subsidiary programs within TANF, such
 6 as the Family Independence Temporary Assistance Program (FITAP), the Kinship
 7 Care Subsidy Program, and other educational, employment, training, and related
 8 services programs; to provide for the submission of certain federal quarterly reports
 9 to the legislature; to provide for the Incentive Award program; to provide for the
 10 administration of public assistance benefits payable to mentally incapable
 11 individuals; to add certain functions to the office of workforce development; to
 12 transfer certain powers, duties, functions, and responsibilities relating to certain
 13 programs within the office of family support of DCFS into Louisiana Works; to
 14 make technical corrections; to authorize the Louisiana State Law Institute to make
 15 certain requested changes to references concerning LWC; to authorize the office of
 16 state register to make all necessary changes for applicable references to DCFS and
 17 Louisiana Works; to provide for the monies held in the state treasury for the Fraud
 18 Detection Fund to be transferred to Louisiana Works; to provide for the continuity
 19 of programs and contracts transferred from DCFS to Louisiana Works; to provide for
 20 effective dates; and to provide for related matters.

21 Be it enacted by the Legislature of Louisiana:

22 Section 1. R.S. 11:780(C)(3)(a)(i) is hereby amended and reenacted to read as
 23 follows:

24 §780. Reexamination of disability retirees; modification of benefits; restoration to
 25 active service

26 * * *

27 C.

28 * * *

1 (3)(a) If, pursuant to the provisions of this Subsection, the board of trustees
2 reduces the pension of any disability retiree of this system who retired pursuant to
3 a reciprocal agreement between this system and any other state or statewide public
4 retirement system, the reduction shall be subject to Subparagraph (b) of this
5 Paragraph, provided the retiree satisfies all of the following provisions of this
6 Subparagraph:

7 (i) The vocational rehabilitation program within ~~the Department of Children~~
8 ~~and Family Services~~ Louisiana Works furnishes the retiree with durable medical
9 equipment for use, subject to a requirement that the retiree be engaged in a gainful
10 occupation for at least twenty hours per week.

11 * * *

12 Section 2. R.S. 14:68.2.1(A) and 74(D)(2) are hereby amended and reenacted to read
13 as follows:

14 §68.2.1. Failure to report unauthorized use of supplemental nutrition assistance
15 program benefits; penalties

16 A. Employees of ~~the Department of Children and Family Services~~ Louisiana
17 Works, owners, employees and operators of retailers that accept SNAP benefit
18 access device transactions, and adult household members of SNAP recipients shall
19 report each instance of known fraud or abuse of SNAP benefits, or any known
20 unauthorized use of SNAP benefits or a SNAP benefit access device as defined in
21 R.S. 14:68.2, to the fraud detection section, ~~office of children and family services of~~
22 ~~the Department of Children and Family Services~~ office of workforce support and
23 training of Louisiana Works via the Public Assistance Fraud Hot-Line as provided
24 for by R.S. ~~46:114.1~~ 23:1838.

25 * * *

26 §74. Criminal neglect of family

27 * * *

28 D.

29 * * *

1 (2) If a fine is imposed, the court shall direct it to be paid in whole or in part
2 to the spouse or to the tutor or custodian of the child, to the court approved fiduciary
3 of the spouse or child, or to ~~the Louisiana Department of Children and Family~~
4 ~~Services~~ Louisiana Works in a FITAP or Family Independence Temporary
5 Assistance Program case or in a non-FITAP or Family Independence Temporary
6 Assistance Program case in which the ~~said~~ department is rendering services,
7 whichever is applicable; hereinafter, ~~said~~ the payee shall be referred to as the
8 "applicable payee." In addition, the court may issue a support order, after
9 considering the circumstances and financial ability of the defendant, directing the
10 defendant to pay a certain sum at such periods as the court may direct. This support
11 shall be ordered payable to the applicable payee. The amount of support as set by
12 the court may be increased or decreased by the court as the circumstances may
13 require.

* * *

15 Section 3. R.S. 15:933.1 is hereby amended and reenacted to read as follows:
16 §933.1. Office of juvenile justice; statistical data collection; ~~Department of~~
17 ~~Children and Family Services~~ Louisiana Works

18 A. For the purpose of assisting ~~the Department of Children and Family~~
19 ~~Services~~ Louisiana Works in identifying changes in household circumstances for
20 Supplemental Nutrition Assistance Program benefit allotments, the office of juvenile
21 justice shall report identifying information to the department of each juvenile placed
22 under the custody of the office of juvenile justice for a sentence of nine months or
23 longer. ~~The Department of Children and Family Services~~ Louisiana Works shall
24 determine the required information necessary to identify the juvenile and the
25 juvenile's household.

26 B. If the juvenile has not reached the age of majority at the time of release,
27 the office of juvenile justice shall report to ~~the Department of Children and Family~~
28 ~~Services~~ Louisiana Works when the juvenile is released from custody. For purposes
29 of this Section, the age of majority means a child under the age of twenty-two.

1 C. A demonstration project shall have not less than fifteen nor more than
2 twenty adult participants in addition to the children of such participants and shall
3 have the following components:

4 * * *

5 (5) Other components as determined by the State Board of Elementary and
6 Secondary Education in consultation with the office of literacy, ~~the Department of~~
7 ~~Children and Family Services~~ Louisiana Works, and representatives, as determined
8 by the board, from the private sector.

9 * * *

10 §3047.6. Coordination with other agencies

11 A. Notwithstanding any other law to the contrary, the administering agency
12 shall enter into a memorandum of understanding with ~~the Department of Children~~
13 ~~and Family Services~~ Louisiana Works and the Louisiana Department of Health to
14 share information relative to an individual's qualification for certain aid or
15 governmental benefits. Any information shared or furnished shall be held
16 confidential by the administering agency and shall be reported in the aggregate only
17 and contain no personally identifiable information.

18 B. Notwithstanding R.S. 47:1508 or any other law to the contrary, the
19 administering agency shall enter into a memorandum of understanding with the
20 Department of Revenue and ~~the Louisiana Workforce Commission~~ Louisiana Works
21 to share information relative to a taxpayer's reported income, residency, and
22 employment information for purposes of generating data related to the success of
23 award recipients in the workforce. Any information shared or furnished shall be held
24 confidential by the administering agency and shall be reported in the aggregate only
25 and contain no personally identifiable information.

26 * * *

27 §3914. Student information; privacy; legislative intent; definitions; prohibitions;
28 parental access; penalties

29 * * *

1 M.(1) Notwithstanding any provision of law to the contrary and except as
 2 provided in Paragraph (2) of this Subsection, the governing authority of each public
 3 or nonpublic school or other entity that participates in a meal program through which
 4 students are eligible for the ~~pandemic electronic benefits transfer program~~ or summer
 5 electronic benefits transfer program shall share student information with ~~the~~
 6 ~~Department of Children and Family Services~~ Louisiana Works for the purpose of
 7 facilitating program administration, including but not limited to the automatic
 8 issuance of benefits to eligible families. Such information shall be limited to the first
 9 name, middle name, last name, address, school site code, student unique identifier,
 10 and date of birth of each student eligible for free or reduced price meals at school.

11 * * *

12 N.(1) Notwithstanding any provision of this Section to the contrary, each
 13 public secondary school governing authority shall do the following:

14 * * *

15 (b) Disclose the social security number to the company with which the state
 16 has contracted to develop unique student identifiers and ~~the Louisiana Workforce~~
 17 ~~Commission~~ Louisiana Works.

18 * * *

19 Section 5. The heading of Chapter 1 of Title 23 of the Louisiana Revised Statutes
 20 of 1950, R.S. 23:1, 2, 3, 6(introductory paragraph), (1), (2), (3), (7), and (15), 7, 12, 14, 17,
 21 73(A)(1), (C), and (E)(2), 74, 75(A), (B), (C)(1), (D)(3), and (E), 76(A), (B), and (C)(1), (2),
 22 and (8)(a), 78(introductory paragraph), (1), and (5), 1600(2) and (3)(a), 1693(I)(1), (2), and
 23 (3) and (J) are hereby amended and reenacted and R.S. 23:1.1, 6(16) through (26), and
 24 Chapter 11-B of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S.
 25 23:1821 through 1915, are hereby enacted to read as follows:

26 CHAPTER 1. ~~LOUISIANA WORKFORCE COMMISSION~~ LOUISIANA WORKS

27 PART I. ESTABLISHMENT, POWERS, AND DUTIES

1 §1. ~~Louisiana Workforce Commission~~ Louisiana Works established; purpose;
2 definitions

3 A. ~~The Louisiana Workforce Commission~~ Louisiana Works is hereby
4 created and established to operate an integrated workforce development delivery
5 system in this state, in particular through the integration of social services eligibility
6 determinations, benefit payments, job training, employment and employment-related
7 education and training programs, and to administer the state's vocational
8 rehabilitation services, independent living services, disability determinations, and
9 blind services programs, and to administer the state's unemployment, ~~and~~ workers'
10 compensation, and supplemental nutrition and certain family support programs.

11 B. The duties of this ~~commission~~ department shall be exercised and
12 discharged under the supervision and direction of the secretary. He shall have charge
13 of the administration and enforcement of all laws, rules, policies, and regulations,
14 which it is the duty of the ~~commission~~ department to administer and enforce, and
15 shall direct all inspections and investigations, except as otherwise provided by law.

16 BC. The ~~commission~~ department shall meet the needs of all of the following:

17 (1) The employers of this state for the development of a highly skilled and
18 productive workforce.

19 (2) The workers of this state for education, skills training, and labor market
20 information to enhance their employability, earnings, and standard of living.

21 (3) The people of this state for a smooth and effective transition into the
22 workforce, particularly persons receiving public assistance, displaced homemakers,
23 displaced workers, adults with limited literacy skills, individuals with disabilities,
24 and students moving from school to work.

25 (4) The communities of this state for programs that create jobs, attract
26 employers, and encourage business expansion and retention.

27 (5) The taxpayers of this state for the efficient and effective expenditure of
28 tax revenues for social service support delivery and workforce development.

1 (6) Individuals of this state with disabilities for vocational rehabilitation,
2 independent living services, and blind services under the Rehabilitation Act and the
3 Randolph-Sheppard Act.

4 €D. As used in this Title, unless the context clearly indicates otherwise, the
5 following terms ~~shall be~~ are defined as follows:

6 ~~(1) "Commission" means the Louisiana Workforce Commission.~~

7 ~~(2)~~(1) "Council" means the Louisiana Workforce Investment Council.

8 (2) "Customer" means an individual who is eligible to receive assistance
9 through Louisiana Works workforce or social service programs.

10 (3) "Department" means Louisiana Works.

11 ~~(3)~~(4) "Secretary" means the secretary of the ~~commission~~ department.

12 (5) "SNAP" means the Supplemental Nutrition Assistance Program.

13 (6) "TANF" means the Temporary Assistance to Needy Families.

14 §1.1. Integrated case management; service integration of various social service
15 programs

16 A. The legislature recognizes that the department provides services to
17 support individuals with various needs and in various stages of life. However, the
18 conventional service delivery system of requiring individuals to access various
19 offices within the state and even within the department to address those multiple
20 needs creates barriers for the delivery of those services and entry into the workforce.
21 These needs can be better met, more efficiently and less costly, through integrated
22 case management at a single service location with a single case worker. It is the
23 intent of the legislature to provide a social services and workforce department that
24 streamlines the delivery of services and incorporates integrated case management
25 models for customers and their families served by multiple departments and
26 programs.

27 B. For the purposes of this Section:

28 (1) "Integrated case management" means an accessible, customer-centered
29 approach that coordinates the necessary services that meet the needs of each

1 individual or family which, if applicable, establishes a comprehensive, integrated
2 service plan that addresses all of those needs and outcomes, which is continually
3 monitored and updated as necessary.

4 (2) "Integrated service plan" means a plan that is based on the customer's
5 strengths, risks, service needs, and improvement plan.

6 (3) "Service integration" means a process by which a range of social,
7 education, and workforce employment and training services are delivered in a
8 coordinated and seamless manner to provide customer-oriented services, increase
9 early intervention and prevention opportunities, improve outcomes, and establish
10 provider accountability through performance measures. Service integration shall
11 include:

12 (a) A "One Door" business model which makes it easier for the customer to
13 obtain services and allow various programs to work seamlessly together.

14 (b) Cross-training among the various program staff to ensure a general
15 understanding of all programs to which a customer may require.

16 (c) Flexible use of funding among the offices and, if applicable, departments
17 and community programs, comprising the multi-disciplinary team to ensure that the
18 customer receives services for which he is eligible.

19 §2. Domicile of ~~commission~~ department

20 The domicile of ~~the Louisiana Workforce Commission~~ Louisiana Works shall
21 be ~~at~~ in Baton Rouge.

22 §3. Employees; performance evaluations; salaries and expenses

23 The secretary shall, with the consent of the governor, appoint such assistants,
24 such heads of divisions or bureaus, and such inspectors, statisticians, accountants,
25 attorneys, and other employees as may be deemed necessary for the exercise of the
26 powers and the performance of the duties of the ~~commission~~ department. The
27 secretary, ~~or a person designated by him~~ his designee, shall develop a system of
28 annual performance evaluations for all officers and employees of the ~~commission~~
29 department based on measurable job tasks. The salaries of ~~such~~ the officers and

1 employees of the ~~commission~~ department shall be fixed by the secretary, with the
2 approval of the governor. All officers and employees of the ~~commission~~ department
3 shall receive from the state their necessary and actual expenses while traveling on
4 the business of the ~~commission~~ department, either within or without the state.

5 * * *

6 §6. Powers and duties

7 In addition to any other powers and duties which may be conferred upon the
8 secretary by law, he ~~shall~~ may:

9 (1) ~~To the extent feasible under federal law, integrate~~ Integrate the
10 administration and functions of the programs under the authority of the ~~commission~~
11 department to achieve efficient and effective delivery of services.

12 (2) Administer each program and implement corresponding federal and state
13 legislation consolidated under the authority of the ~~commission~~ department in this
14 Title and other applicable state law.

15 (3) Determine the organization and procedural methods of the ~~commission~~
16 department in accordance with applicable state and federal laws.

17 * * *

18 (7) Coordinate with affected state agencies and workforce development
19 entities the integration of the delivery of all education, training, employment,
20 apprenticeship, social services, and related programs to ~~assure~~ ensure the efficient
21 and effective provision of these services.

22 * * *

23 (15) Designate an existing senior-level staff member of ~~the Louisiana~~
24 ~~Workforce Commission~~ Louisiana Works to serve as liaison to the Board of
25 Elementary and Secondary Education, the Department of Education, the Board of
26 Regents, and the postsecondary education management boards to facilitate the
27 identification of regional and statewide workforce needs and work-based educational
28 and training opportunities and ensure coordination in the delivery of career and
29 technical education across all educational agencies and institutions.

1 (16) Administer and supervise all forms of public assistance, including
2 assistance to needy families, supplemental nutrition benefits to individuals in need,
3 and any other public assistance activities or services that may be or may later be
4 within the department's purview.

5 (17) Promulgate all necessary rules and regulations for the purposes of
6 carrying out the provisions of this Title relative to public assistance laws.

7 (18) Oversee the organization and supervision by providing any necessary
8 services, materials, or additional assistance and personnel needed to field offices to
9 ensure effective administration of public assistance functions; and designate such
10 offices to serve as its agent in the administration of public assistance activities in its
11 respective parishes.

12 (19) Employ additional personnel as necessary in order to establish a
13 sufficient number of audit teams for the purpose of investigating public assistance
14 customers whose initial eligibility or continued eligibility is difficult to determine.
15 These audit teams shall work the number of hours per week specified by the
16 Department of State Civil Service; however, their working days and hours shall be
17 arranged to obtain the greatest efficiency in accomplishing the purpose described
18 above.

19 (20) Assist other departments, agencies, and institutions of the state or
20 federal government, when so requested, by performing services in conformity with
21 the purposes of this Title.

22 (21) Act as an agent of the state for the purpose of cooperating with the
23 federal government in public assistance matters of mutual concern and in the
24 administration of any federal funds granted in the state to aid in the furtherance of
25 any functions of the department, and be empowered to meet the federal standards
26 established for the administration of federal funds.

27 (22) Administer any federal, state, parish, municipal, or private funds made
28 available for public assistance.

1 §12. Electronic digitized records; ~~microfilm or microfiche records~~

2 A. The ~~commission~~ department may utilize an ~~imaging or~~ electronic
3 digitizing process capable of reproducing an unalterable image of the original source
4 document ~~, or any appropriate form of the microphotographic process,~~ for
5 recordation, filing, processing, and preservation of any records, forms, information,
6 statements, transcriptions of proceedings, transcriptions of records, electronic
7 recordings, letters, memoranda, and other documents and reports to maintain
8 efficient management and processing of records and to conserve storage space in
9 administration of this Title.

10 B. The department shall comply with the conversion standards and disposal
11 request procedures established by the division of archives, records management, and
12 history of the Department of State in accordance with R.S. 44:39 and 415.

13 * * *

14 §14. Employers to furnish information; keeping of records

15 A. Every employer shall furnish to the ~~commission~~ department all
16 information which the secretary or his representative may require. Every employer
17 shall ~~make~~ provide true and specific answers to all questions submitted by the
18 ~~commission department, orally verbally~~ or in writing, as required by the ~~commission~~
19 department.

20 B. Every employer shall keep a true and accurate record ~~of~~ including but not
21 limited to the following: the name, address, and occupation of each ~~person employed~~
22 ~~by him~~ employee, ~~of~~ the daily and weekly hours worked by each employee, and ~~of~~
23 the wages paid each pay period to each employee. These records shall be kept on
24 file for at least one year after the date of the record.

25 * * *

26 §17. Integration of workforce and public assistance development programs

27 A. All social service programs designed to provide economic stability to an
28 unemployed or underemployed individual shall be integrated with services and
29 programs that provide job-training, employment, vocational rehabilitation services,

1 independent living and blind services programs, and employment-related educational
2 programs and functions, along with any federal, state, and local revenues that fund
3 them, shall be integrated into the workforce development delivery system ~~to the~~
4 ~~extent feasible~~, as determined by the secretary, under the authority of the
5 ~~commission~~ department through its office of workforce development, and all
6 departments and agencies in which these programs are funded or operated shall
7 cooperate with the ~~commission~~ department to promptly effect this integration.

8 B. If monies are appropriated by the legislature to conduct a workforce
9 ~~facility condition~~ economic assessment, ~~service market data study/location analysis,~~
10 ~~and master plan~~, the secretary ~~shall transfer such monies to the Louisiana~~
11 ~~Community and Technical College System~~ may contract with any state agency,
12 higher education provider, or any private provider, subject to state procurement rules
13 and regulations, to conduct such workforce ~~facility condition~~ economic assessment;
14 ~~service market data study/location analysis, and master plan in order~~ to maximize the
15 delivery of social service programs and workforce training and services throughout
16 the state.

17 C. The secretary shall, to the maximum extent practicable under law,
18 develop a uniform, statewide customer application and enrollment process to
19 determine an applicant's eligibility for social safety net and workforce training and
20 services provided by the department.

21 D. The department, in consultation with the Workforce Investment Council
22 or local workforce development boards, shall develop a comprehensive statewide
23 workforce and social services plan that aligns with the requirements of the
24 Workforce Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq., or any
25 superseding federal legislation. The plan shall include but is not limited to the
26 following:

27 (1) A projected analysis of the workforce needs of employers and customers.

28 (2) A projected analysis of the social service needs of customers.

1 (d) An automated job-matching information system that is accessible to
2 employers, job seekers, and other users via the ~~Internet~~ internet, and that includes at
3 a minimum the following:

4 (i) Skill match information, including skill gap analysis; resume creations;
5 job order creation; skill tests; job search by area, employer type, and employer name;
6 and training provider linkage.

7 (ii) Job market information based on surveys, including local, state, regional,
8 and national, ~~and international~~ occupational and job availability information.

9 (iii) Service provider information, including education and training
10 providers, child care facilities and related information, health and social service
11 agencies, and other providers of services that would be useful to job seekers.

12 * * *

13 C. The council shall designate the ~~commission~~ department as the agency to
14 coordinate the development and implementation of the system and to maintain the
15 system. In the development and maintenance of the system, the ~~commission~~
16 department may use existing data collection systems operated by it, and to the extent
17 appropriate, establish electronic linkages to access data in the management
18 information systems operated by other departments or offices of state government.
19 It shall be readily available for public access through a variety of media, including
20 the ~~Internet~~ internet.

21 * * *

22 E.

23 * * *

24 (2) The public entities whose data and assistance shall be considered
25 necessary for the system to fulfill its purpose shall include the ~~commission~~
26 department, Louisiana Economic Development, and the Departments of Education,
27 Health, Public Safety and Corrections, Social Services, and Veterans Affairs, and in
28 the governor's office, the Offices of Elderly Affairs, Lifelong Learning, Women's
29 Services, ~~and Workforce Development~~, and the State Board of Elementary and

1 Secondary Education, and the Board of Regents and any other public entity that the
2 ~~commission~~ department deems necessary.

3 §74. ~~Consumer~~ Customer information

4 For the ~~consumer~~ customer information component of the system, there shall
5 be a user-friendly formatted inventory of available training opportunities and, to the
6 extent possible, employment opportunities. This component of the system shall be
7 available for access on the ~~Internet~~ internet.

8 §75. ~~Report card~~ Data dashboard; data exchange agreements; data distribution;
9 personal identification prohibited

10 A. For the ~~report card~~ data dashboard information component of the system,
11 there shall be user-friendly formatted, objective factual performance information on
12 training programs, including statistical information on ~~placement rates~~ employment
13 outcomes, and other relevant data.

14 B. For the purpose of facilitating the objectives of this Part, public and
15 private agencies engaged in, or responsible for, workforce development activities
16 shall enter into interagency reciprocal data exchange agreements. Such agreements
17 shall provide for automated record linkage and follow-up. To facilitate this process,
18 each agency with workforce development data shall assign to each individual
19 receiving its services a ~~unique identifier~~ a Social Security number, unless prohibited
20 by federal law to be used to link disparate data bases.

21 C.(1) Interagency data shall be distributed in a protected and secure manner
22 and in such a way so as not to permit the personal identification of any individual.
23 If data is exchanged electronically ~~on magnetic media~~, individually identifiable and
24 firm-specific information shall be encrypted. Individually identifiable and firm-
25 specific information shall be unencrypted during the file linkages performed in the
26 computer systems' core memory. While in the possession of other agencies, all files
27 containing personally identifiable and firm-specific information shall be stored in a
28 secure environment and accessed by authorized personnel only.

29 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 D.

2 * * *

3 (3)(a) Any such data, as provided in this Subsection, that is released to any
4 state agency or any contractor acting on behalf of a state agency pursuant to this
5 Subsection, may be released on a reimbursable basis and shall be used exclusively
6 for execution of intended public duties. Such data shall not, under any circumstance,
7 be accessed and used for any other purpose, subject to sanction of violators as
8 provided for in Subparagraph (c) of this Paragraph. The administrator and the office
9 of unemployment insurance administration shall not be liable for any violation by
10 any employee of the ~~commission~~ department, council, division of administration, or
11 any contractor working on behalf of either agency, provided their receipt of such
12 information was in accordance with the provisions of this Subsection.

13 (b) Any such data, as provided in this Section, that is received by any state
14 agency or any contractor acting on behalf of a state agency pursuant to this
15 Subsection, ~~must~~ shall be destroyed within thirty days following the completion of
16 its intended purpose as described in this Section.

17 (c) Any person who violates any provision of this Section shall be fined not
18 less than one thousand dollars nor more than ten thousand dollars or imprisoned for
19 not less than thirty days nor more than six months, or both.

20 E. This component of the system shall be developed so that it may be
21 available for access on the ~~Internet~~ internet.

22 §76. Forecasting

23 A. For the forecasting information component of the system, there shall be
24 information on projected workforce growth₂ ~~and~~ job growth₂ and demand. The
25 workforce₂ ~~and~~ job growth₂ and demand information shall also reflect occupational
26 information related to those targeted cluster industries identified by Louisiana
27 Economic Development.

28 B.(1) The information provided on the projected workforce growth shall
29 include the number of individuals employed and ~~the number of~~ information on the

1 individuals able and available for employment at present and projected at a future
2 date certain, both statewide and by geographic regions.

3 (2) Occupational information ~~on targeted cluster industries~~ shall include
4 ~~occupational~~ occupations within ~~requirements for those industries~~, training and
5 education levels required ~~for those occupations~~, and salary information.

6 C.(1) For the purpose of projecting job growth and demand, the
7 Occupational Forecasting Conference is hereby established as a committee of the
8 council. The conference shall develop official information regarding the statewide
9 and regional workforce development needs of current, new, and emerging industries
10 as the council determines is necessary for both state and regional workforce
11 development system planning processes and state planning and budgeting. The
12 information, using quantitative and qualitative research methods, shall include at
13 least short-term and long-term forecasts of employment demand for jobs by
14 occupation and industry; current entry and average ~~wage~~ wages ~~forecasts~~ for those
15 occupations; and estimates of the supply of trained and qualified individuals
16 available for employment in those occupations, with special focus upon those
17 occupations and industries which require high skills and have ~~high entry wages and~~
18 ~~previous experience wage levels~~ higher than average entry wages and high median
19 and experienced wages. In the development of workforce estimates, the conference
20 shall use, to the fullest extent possible, local occupational and workforce forecasts
21 and estimates.

22 (2) The conference shall review data concerning the local and regional
23 demands for short-term and long-term employment primarily in ~~high-skills/high-~~
24 ~~wage~~ high-skills or high-wage jobs, as well as other jobs, ~~which data is generated~~
25 ~~through surveys conducted as part of the state's Internet-based job matching and~~
26 ~~labor market information system~~. The conference shall consider such data in
27 developing its forecasts for statewide employment demand, including reviewing the
28 local and regional data for common trends and conditions among localities or regions
29 which may warrant inclusion of a particular occupation on the statewide

1 occupational forecasting list developed by the conference. Based upon its review of
2 such survey data, the conference shall also make recommendations semiannually to
3 the ~~commission~~ Workforce Investment Council on additions or deletions to lists of
4 locally targeted occupations.

5 * * *

6 (8)(a) A final report of the top future growth and demand jobs, statewide and
7 by region, and the skills necessary to fill such jobs shall be made available for access
8 on the internet and noted in the Louisiana Register as available on the internet. ~~Such~~
9 ~~report shall also be available for purchase by private parties for the costs of~~
10 ~~reproduction.~~ The conference, in coordination with the council, should determine
11 a strategy for promoting and disseminating the final report to the appropriate
12 stakeholder groups as determined by the council.

13 * * *

14 §78. Workforce information systems

15 The ~~commission~~ department shall implement, subject to legislative
16 appropriation, automated information systems that are necessary for the efficient and
17 effective operation and management of the workforce development system. These
18 information systems shall include but not be limited to the following:

19 (1) An integrated management system for the one-stop service delivery
20 system, which includes, at a minimum, common registration and intake, screening
21 for needs and benefits, case ~~planning~~ management and tracking, training benefits
22 management, service and training provider management, performance reporting,
23 executive information and reporting, and customer-satisfaction tracking and
24 reporting.

25 * * *

26 (5) The ~~commission~~ department may procure independent verification and
27 validation services associated with developing and implementing any workforce
28 information system.

29 * * *

1 §1600. Benefit eligibility conditions

2 An unemployed individual shall be eligible to receive benefits only if the
3 administrator finds that:

4 * * *

5 (2)(a) ~~He~~ The individual has done both of the following:

6 (i) Registered ~~registered~~ for work, ~~at, and~~

7 (ii) ~~thereafter has continued~~ Continued to report in accordance with such
8 regulations ~~as the administrator may prescribe~~ prescribed by the administrator.

9 (b) The administrator may, by regulation, waive or alter either or both of the
10 requirements of ~~this Section~~ Subparagraph (2)(a) of this Subsection as to such types
11 of cases or situations with respect to which he finds that compliance with such
12 requirements would be oppressive, or would be inconsistent with the purposes of this
13 Chapter; but no such regulation shall conflict with R.S. 23:1591.

14 (3)(a) All of the following apply:

15 (i) The individual ~~He~~ is able to work,;

16 (ii) The individual is available for work,;

17 (iii) The individual is actively searching ~~and is conducting an active search~~
18 for work.

19 * * *

20 §1693. Assignment of benefits; exemption of benefits from levy or execution;
21 deduction for support; deduction for overissuance of ~~food stamps~~ SNAP
22 benefits

23 * * *

24 I.(1) ~~Upon and subject to implementation by the United States Department~~
25 ~~of Agriculture and agreement with the Louisiana Department of Children and Family~~
26 ~~Services for and on behalf of the state food stamp program, the administrator of the~~
27 ~~office of employment security shall develop the procedure for reimbursement of all~~
28 ~~related administrative costs of any and all performed activities by the office of~~

1 ~~employment security under this Subsection attributable to the repayment of~~
2 ~~uncollected overissuance of food stamp allotments:~~

3 (a) An individual filing a new claim in the state for unemployment
4 compensation shall, at the time of filing such claim, disclose whether he owes an
5 uncollected overissuance of ~~food stamp coupons~~ Supplemental Nutrition Assistance
6 Program benefits referred to in this Subsection as "SNAP benefits", as defined in
7 Section 13(c)(1) of the Food Stamp Act of 1977, 7 U.S.C. 2022(c)(1). ~~The~~
8 ~~administrator shall notify the Louisiana Department of Children and Family~~
9 ~~Services, or its designated office, of any individual who discloses that he owes any~~
10 ~~food stamp overissuance and who is determined to be eligible and qualified for~~
11 ~~unemployment compensation.~~

12 (b) The administrator shall deduct and withhold from any unemployment
13 compensation payable to an individual who owes an uncollected overissuance of
14 ~~food stamps~~ SNAP benefits:

15 (i) Any amount specified by the individual to the administrator to be
16 deducted and withheld under this Subsection ~~if the administrator also receives~~
17 ~~confirmation from the Louisiana Department of Children and Family Services that~~
18 ~~there has been an enforceable determination of overissuance.~~

19 (ii) Any amount determined pursuant to an agreement, if any, between the
20 individual and ~~the Louisiana Department of Children and Family Services under~~
21 Louisiana Works pursuant to Section 13(c)(3)(A) of the Food Stamp Act of 1977, 7
22 U.S.C. 2022(c)(3)(A).

23 (iii) Any amount otherwise required to be deducted and withheld under an
24 enforceable court order or garnishment pursuant to Section 13(c)(3)(B) of the Food
25 Stamp Act of 1977, 7 U.S.C. 2022 (c)(3)(B).

26 (2) Any amount deducted and withheld ~~under~~ pursuant to this Subsection
27 shall be paid by the administrator unemployment insurance program to the Louisiana
28 Department of Children and Family Services, or its designated office SNAP
29 program.

1 §1822. Healthcare records; copies

2 A. The healthcare provider shall furnish to the claimant, the person
3 appointed to represent the claimant in his dealings with the Social Security
4 Administration, or an agent with written authorization made pursuant to 45 CFR
5 164.508, upon request, a copy of any records that are necessary to support his filing
6 for social security disability benefits or supplemental security income benefits under
7 any provision of the Social Security Act. The cost of each photocopy shall not
8 exceed fifty cents per page for the first five pages and twenty-five cents for each
9 additional page except that the amount due shall not be less than the amount paid by
10 Louisiana Works for such copies. Payment for any copies made in connection with
11 disability determinations shall be made to the healthcare provider's agent instead of
12 the healthcare provider when the agent makes the copies.

13 B. If a copy of the record is not provided within a reasonable period of time,
14 not to exceed fifteen days following the receipt of the request and written
15 authorization, and production of the record is obtained through a court order or
16 subpoena duces tecum, the healthcare provider shall be liable for reasonable attorney
17 fees and expenses incurred in obtaining the court order or subpoena duces tecum.
18 Such sanctions shall not be imposed unless the person requesting the copy of the
19 record has, by certified mail, notified the healthcare provider of his failure to comply
20 with the original request, by referring to the sanctions available, and the healthcare
21 provider fails to furnish the requested copies within five days from receipt of the
22 notice. Except for his own gross negligence, the healthcare provider shall not
23 otherwise be held liable in damages by reason of his compliance with the request or
24 his inability to fulfill the request.

25 §1823. Other records to be public records

26 The financial and all other records of the state department and the field and
27 district offices, except those pertaining to individual recipients of assistance, as
28 provided for in R.S. 46:56, are specifically made subject to the provisions of Title
29 44. of the Louisiana Revised Statutes of 1950.

1 §1824. Preservation of records

2 A. Fiscal records of the department relating to public assistance shall not be
3 destroyed until the proper state and federal agencies have completed their respective
4 audits and approved the destruction of the records.

5 B. The department shall preserve all such departmental records for three
6 years or until all useful purposes have been served, whichever is longer.

7 C. To reduce the space required for retaining obsolete files, the secretary
8 may request to destroy all files of documents as provided in R.S. 44:411(4), when,
9 in his opinion, the requirements of the department have been served.

10 D. Public assistance recipient cancelled checks may be destroyed upon
11 complying with all of the following conditions:

12 (1) Completion of audit by the state and federal auditors.

13 (2) Digital preservation of the copy of the cancelled check for a period of at
14 least six years.

15 (3) Approval by the secretary.

16 §1825. Transfer of appropriations to the department by other state agencies, public
17 or private entities; procedure; purpose; expenditures

18 A. Any state agency may, with the approval of the division of administration,
19 transfer to the department any portion of its appropriation that may be available for
20 federal matching funds in accordance with any program established by the
21 department for public assistance purposes.

22 B.(1) The funds collected or collectible during each fiscal year by the
23 department pursuant to the authority of this Section from a state agency and the
24 United States of America shall be deposited in a special account in the state treasury
25 to the credit of the state agency that transferred a portion of its appropriation to the
26 department for the purpose of seeking matching funds from the United States of
27 America. The funds thus credited shall be available for use by the state agency for
28 the purposes of all of the following:

1 (a) Employing necessary personnel and for other expenses incurred in
2 connection with the proper administration of the collection or acquisition of such
3 funds by the state agency from the federal government or any agency thereof.

4 (b) Purchasing new equipment for use by the state agency.

5 (c) Making major repairs at any facility owned by the state agency.

6 (d) Operating expenses and maintenance of any facility owned by the state
7 agency.

8 (e) Any purpose authorized by law.

9 (2) Any funds remaining unexpended and unencumbered in the special
10 account at the end of each fiscal year shall be retained in the special account.

11 C. Expenditures to be made pursuant to the authority of this Section shall be
12 made only upon approval of the secretary of the other state department, the secretary
13 of the department, and the division of administration, and otherwise shall be subject
14 to the laws and regulations relating to budgeting by state agencies and the budgetary
15 controls provided for by Title 39 of the Louisiana Revised Statutes of 1950, as
16 amended, insofar as the laws and regulations are not inconsistent with the purposes
17 of this Section.

18 PART II. RULES AND REGULATIONS

19 §1831. Maximum assistance grants; legislature to approve increases or decreases

20 The department shall not increase the regular maximum grant for any
21 category of public assistance over and above that was authorized by law or by rules
22 and regulations of the former State Department of Public Welfare in effect on July
23 1, 1961, if any portion of the increase is payable out of state funds, without
24 legislative approval. Such legislative approval shall be obtained only in one of the
25 following ways:

26 (1) By a vote of a majority of the elected members of each house obtained
27 while the legislature is in session.

28 (2) If the legislature is not in session, by a vote of a majority of the elected
29 members of each house obtained by mail ballot duly certified and promulgated by

1 the commissioner of administration. The proposal to be submitted to the members
2 of the legislature shall be prepared by the commissioner of administration from
3 information furnished by the department, and he shall immediately thereafter
4 distribute the ballots to the members, together with instructions that all ballots shall
5 be returned to him within thirty days after the date when the ballots were mailed in
6 order to be counted. The commissioner of administration shall tabulate all ballots
7 received within the thirty-day period and promulgate the results thereof, and he shall,
8 immediately upon completion of his tabulation, notify the secretary of the results.

9 §1832. Applications for assistance

10 Applications for assistance shall be in writing and in the manner designated
11 and upon the form prescribed by the department.

12 §1833. Investigation of application

13 Whenever a field office receives an application for assistance, an
14 investigation and record shall promptly be made of the circumstances of the
15 customer. The object of the investigation shall be to ascertain the facts supporting
16 the application and any other information required by the rules and regulations of the
17 department.

18 §1834. Grant of assistance

19 A. Upon the completion of the investigation, the department shall decide
20 whether the customer is eligible for assistance and shall determine the amount and
21 the date which assistance begins. The department shall make an award which shall
22 be binding until the award is modified or vacated. The department shall notify the
23 applicant of its decision in writing.

24 B. All grants of assistance shall be mailed to reasonably ensure that the
25 grants will be received on the date due. If the due date falls on a weekend or a
26 holiday, then the grant shall be mailed to reasonably ensure its receipt on the last
27 regular banking date immediately preceding the due date.

1 §1835. Periodic reconsideration of assistance grants

2 A. All assistance grants shall be reconsidered as frequently as may be
3 required by the rules of the department. After such further investigation as the field
4 office may deem necessary, or the department may require, the amount and manner
5 of giving assistance may be changed or assistance may be entirely withdrawn if the
6 department or field office finds that the customer's circumstances have altered
7 sufficiently to warrant the action.

8 B. The field office may at any time cancel and revoke assistance for cause
9 and it may for cause suspend assistance for such period as it may deem proper.
10 Whenever assistance is withdrawn, revoked, suspended, or in any way changed, the
11 field office shall at once report to the department the decision together with the
12 report of its investigation. All decisions shall be subject to review by the
13 department.

14 §1836. Assistance not assignable

15 All assistance shall be inalienable by any assignment or transfer and shall be
16 exempt from levy or execution under the laws of this state.

17 §1837. Fraud in obtaining assistance; withholding information concerning property,
18 income, or beneficiary, or personal circumstances

19 A. No person shall obtain or attempt to obtain assistance from Louisiana
20 Works by means of any false statement, misrepresentation, or other fraudulent
21 device. If during the life, or upon the death, of any person who is receiving or has
22 received assistance it is found that the customer is receiving or has received
23 assistance through misrepresentation, nondisclosure of material facts, or other
24 fraudulent device, the amount of assistance, without interest, shall be recoverable
25 from him or his estate as a debt due the state by court action.

26 B.(1) If at any time during the continuance of public assistance to any
27 person, the customer thereof, or the spouse of the customer with whom he or she is
28 living with, is in possession or becomes in possession of any property or income in
29 excess of the amount declared at the time of application or reinvestigation of his case

1 and in such amount as would affect his needs or right to receive assistance, it shall
2 be the duty of the customer, or the spouse of the customer, to notify the department
3 of possession of such property or income, and the department shall, after
4 investigation, either cancel the assistance or alter the amount thereof in accordance
5 with the circumstances, provided, that such investigation shows that such property
6 or income does affect the need of the customer or his right to receive assistance.

7 (2) If during the life, or upon the death, of any person who is receiving or has
8 received assistance it is found that the customer or his spouse was in possession of
9 any property or income in excess of the amount reported that would affect his need
10 or right to receive assistance, any assistance paid when the customer or his spouse
11 was in possession of such undeclared property or income shall be recoverable,
12 without interest, from him or his estate as a debt due the state by court action. The
13 possession of undeclared property by a customer or his spouse with whom he is
14 living shall be prima facie evidence of its ownership during the time assistance was
15 granted, and the burden to prove otherwise shall be upon the customer or his legal
16 representative.

17 C.(1) If the personal circumstances of the customer change at any time
18 during the continuance of assistance, he shall immediately notify the department of
19 the change. Personal circumstances shall include:

20 (a) The members of the household.

21 (b) The place of residence of the customer.

22 (c) The establishment of a legal or nonlegal union by the customer.

23 (d) The failure of a child between the ages of sixteen and eighteen years,
24 who is receiving aid to dependent children, to attend school regularly.

25 (2) If during the life, or upon the death, of any person who is receiving
26 assistance it is found that the customer has received or is receiving assistance of a
27 greater amount than he is entitled to receive as a result of his failure to notify the
28 department of a change of personal circumstances as provided in this Subsection, any
29 assistance paid during the time that the customer was receiving assistance of a

1 greater amount than he was entitled to receive as a result of his failure to notify the
2 department shall be recoverable, with legal interest, from him or his estate as a debt
3 due the state by court action.

4 D. The federal government shall be entitled to share in any amount recovered
5 pursuant to the provisions of this Section. However, the amount recovered by the
6 federal government shall not exceed the amount contributed by the federal
7 government in each case. The amount due to the United States shall be promptly
8 paid or credited upon collection to the designated agency of the federal government
9 by the department.

10 E.(1) Persons receiving benefits under SNAP or TANF, or a successor of
11 either program, who have been determined by Louisiana Works in an administrative
12 hearing, or a court of competent jurisdiction after final appeal, to have fraudulently
13 obtained such SNAP benefits or TANF assistance, or benefits or assistance from a
14 successor of either program, shall be ineligible for further participation in the
15 program in accordance with the following schedule:

- 16 (a) For a period of six months upon the first occasion of such determination.
- 17 (b) For a period of one year upon the second occasion of such determination.
- 18 (c) Permanently upon the third occasion of such determination.

19 (2) During the period of ineligibility, no household shall receive increased
20 benefits under those programs as a result of being disqualified pursuant to this
21 Subsection.

22 §1838. Public Assistance Fraud Hot-Line

23 To encourage the reporting of incidents of public assistance fraud, Louisiana
24 Works, through its fraud detection section, shall provide a statewide, toll-free
25 telephone service, known as the Public Assistance Fraud Hot-Line, when sufficient
26 funds are made available by the legislature for such purpose, or when funds are
27 available from any other source.

28 §1838.1. Attempting or aiding to obtain assistance fraudulently; penalties

29 Any person who obtains or attempts to obtain or aids and abets anyone to

1 obtain assistance from the department by means of any false statement,
2 misrepresentation, or other fraudulent device or violates the provisions of R.S.
3 23:1837 shall be guilty of theft as provided by R.S. 14:67.

4 §1838.2. Regional fraud detection units; investigative subpoenas and subpoenas
5 duces tecum

6 A. Louisiana Works shall establish, maintain, and provide for fraud detection
7 functions in order to detect fraud in obtaining public assistance through staff in each
8 region of the state. Each fraud detection unit shall report each incident of public
9 assistance fraud to the fraud detection section on a monthly basis by the tenth day of
10 each succeeding month. An annual report of the activities of all fraud detection units
11 within a state fiscal year shall be submitted by the fraud detection section to the
12 Senate and House committees on labor and industrial relations by September first.

13 B.(1) When the secretary of Louisiana Works, or his designee, has evidence
14 that any person, business, or other legal entity attempted to obtain or obtained
15 assistance or payment for services or goods from the department by means of any
16 false statement, misrepresentation, or other fraudulent device, the secretary or the
17 designated representative may issue an administrative investigation subpoena for
18 deposition testimony or a subpoena duces tecum to be served upon any person,
19 business, or other legal entity who is believed to have information, material, or
20 physical evidence relative to the alleged or suspected violation, for the purpose of
21 producing, revealing, identifying, or explaining documentary material or other
22 physical evidence.

23 (2)(a) The deposition or return of subpoena shall take place in the parish in
24 which the person, business, or other legal entity upon whom the subpoena has been
25 served resides or conducts business.

26 (b) The subpoena shall be served by certified mail, return receipt requested,
27 or by any other means authorized by the Code of Civil Procedure or the Code of
28 Criminal Procedure for the service of process.

29 (c) The subpoena shall specify a return date indicating the date by which

1 deposition testimony or information, material, or physical evidence shall be received
2 by the department.

3 C. At any time before the return date specified in the administrative
4 investigation subpoena or subpoena duces tecum or within twenty days after the
5 subpoena or subpoena duces tecum has been served, whichever is earlier, a petition
6 stating good cause for a protective order to extend the return date, or to modify or set
7 aside the subpoena, may be filed in the district court having civil jurisdiction in the
8 parish where the person, business, or other legal entity served with the subpoena
9 resides or where the principal place of business is located.

10 D. If no protective order from the court is secured and the investigative
11 subpoena or subpoena duces tecum is not complied by the return date, an attorney
12 for the department may apply to the district court having civil jurisdiction in the
13 parish where the person, business, or other legal entity served resides or where the
14 principal place of business is located for an order compelling compliance with the
15 subpoena or subpoena duces tecum. Any disobedience of an order compelling
16 compliance shall be punished as a contempt of court.

17 §1838.3. Fraud Detection Fund

18 A. The Fraud Detection Fund, herein referred to as the "fund", is hereby
19 created in the state treasury as a special fund.

20 B. All monies recovered through fraud detection shall be deposited into the
21 state treasury after reimbursement of the federal funding agency's share.

22 C.(1) After compliance with the requirements set forth in Article VII,
23 Section 9(B) of the Constitution of Louisiana relative to the Bond Security and
24 Redemption Fund, and prior to monies being placed in the state general fund, the
25 following amounts shall be credited to the fund:

26 (a) An amount equal to that deposited as required by Subsection B of this
27 Section.

28 (b) An amount equal to that deposited in accordance with R.S. 23:1882.8(G).

29 (2) The monies in this fund shall be used solely as provided by Subsection

1 D of this Section and only in the amounts appropriated by the legislature. The
2 monies in this fund shall be invested by the state treasurer in the same manner as
3 monies in the state general fund, and interest earned on the investment of these
4 monies shall be credited to this fund, in accordance with the requirements set forth
5 in Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond
6 Security and Redemption Fund.

7 D. The monies in the fund may be appropriated by the legislature to
8 Louisiana Works, for the enhancement of fraud detection and recovery activities in
9 an amount not to exceed the balance on hand in the fund at the end of the previous
10 calendar year. These funds shall not be used to replace, displace, or supplant state
11 general funds appropriated for the daily operation of any regional fraud detection
12 activities of Louisiana Works.

13 E. All unexpended and unencumbered monies in the fund at the end of each
14 fiscal year shall remain in the fund to the credit of Louisiana Works.

15 §1839. Application; terms mandatory

16 The terms of this Chapter in relation to the parishes and the field offices shall
17 be mandatory.

18 §1840. Prima facie proof of pleadings

19 A. Pleadings filed on behalf of Louisiana Works in actions to recover the
20 value of ineligible public financial assistance payments or benefits shall be
21 accompanied by an itemized statement of the amount of overissuance or
22 overpayment together with the amount that the customer was entitled to, if any.

23 B. The itemized statement shall be accepted as prima facie proof of the
24 disbursement and receipt of payments and the amount thereof, if it is accompanied
25 by an affidavit signed by the assistant secretary of the office administering the
26 payments and benefits. The affidavit shall correctly and accurately reflect the facts
27 to the best of the affiant's knowledge and belief.

1 PART III. SOCIAL SERVICES PROGRAMS2 SUBPART A. SNAP NUTRITION EDUCATION

3 §1851. Legislative findings; Supplemental Nutrition Assistance Program
4 educational component; reporting requirements

5 A. The legislature finds and declares the following:

6 (1) The program formerly known as "food stamps" was renamed the
7 Supplemental Nutrition Assistance Program (SNAP) in October 2008. SNAP is
8 administered at the federal level by the United States Department of Agriculture
9 Food and Nutrition Service (FNS) and at the state level by Louisiana Works, herein
10 referred to as the "department".

11 (2) SNAP is the cornerstone of the federal food assistance programs and
12 provides crucial support to needy households and to those making the transition from
13 public assistance to work.

14 (3) By federal policy, SNAP benefits may be used only for the purchase of
15 nonalcoholic beverages and food which is not hot at the point of sale and may not be
16 used to purchase any nonfood items.

17 (4) The population of Louisiana has historically encompassed one of the
18 highest proportions of SNAP customers in the nation.

19 (5) Federal regulations allow states to administer educational services within
20 SNAP. These services are known as SNAP Education and are designed to teach food
21 budgeting, proper nutrition, and healthy food choices to SNAP customers.

22 (6) It is the public policy of this state to support basic health, human welfare,
23 education, and self-sufficiency among its most vulnerable citizens. Effective
24 educational efforts, including nutrition education, are necessary for this state to
25 promote better health and break its historic cycle of generational poverty.

26 (7) A nurturing family affords a child his best opportunity to enjoy lifelong
27 health and well-being. Therefore, any program that promotes better health for
28 children must encourage family strengthening and greater parental involvement in
29 the lives of their children if the program is to fulfill its purpose.

1 B. In addition to any SNAP Education services conducted by contractors of
2 the department, the department shall provide printed nutrition education resource
3 materials directly to the heads of all SNAP beneficiary households. The department
4 may develop or utilize materials at its discretion in order to satisfy the provisions of
5 this Subsection, provided that the materials include the Core Nutrition Messages, or
6 any successor resources, developed by FNS. The department shall provide such
7 materials to every head of a SNAP beneficiary household at the following intervals:

8 (1) At the first issuance of a SNAP electronic benefits transfer card
9 subsequent to the initial determination of eligibility.

10 (2) In the first correspondence from the department subsequent to a
11 redetermination of eligibility.

12 (3) Any interval that the department deems advantageous and feasible.

13 C. In administering the SNAP Education program of this state, the
14 department and all subcontractors and affiliates of such program shall:

15 (1) Utilize the Core Nutrition Messages, or any successor resources,
16 developed by FNS.

17 (2) Coordinate outreach and educational efforts to the greatest possible
18 extent with those of the Women, Infants, and Children Program, herein referred to
19 as "the (WIC) Program", of this state.

20 D. On or before March first annually, the department shall submit to the
21 House and Senate committees on labor and industrial relations a comprehensive
22 report on the SNAP Education program. The report shall include but not be limited
23 to the following items:

24 (1) Analysis and commentary on major health challenges faced by low-
25 income Louisiana families.

26 (2) Data on SNAP Education customers, including a description of the ideal
27 target population, actual number of customers served, geographic distribution of
28 customers, and customer demographics.

29 (3) A description of program operations, including details on the selection

1 of customers, service delivery, and activities conducted by all SNAP Education
2 program contractors and subcontractors.

3 (4) A description of any partnership with the WIC Program and efforts
4 undertaken in collaboration with that program.

5 (5) Analysis of program outcomes and other significant impacts on SNAP
6 Education service customers.

7 (6) Public policy recommendations for enhancing the SNAP Education
8 program and for supporting better health and nutrition generally among low-income
9 families of this state.

10 SUBPART B. SNAP WORKFORCE TRAINING AND EDUCATION

11 PROGRAM

12 §1861. Findings

13 The legislature hereby finds and declares the following:

14 (1) It is the policy of the state to encourage self-sufficiency so that
15 Louisianians may reduce dependence on public assistance benefits to meet basic
16 needs and become economically self-reliant.

17 (2) The Supplemental Nutrition Assistance Program (SNAP), formerly
18 known as "food stamps", provides crucial support to needy households and persons
19 making the transition from public assistance to work.

20 (3) Pursuant to the federal Food Security Act of 1985, states are required to
21 provide employment and job training services to SNAP customers who are not
22 exempt from the mandatory work registration requirements of the program.

23 (4) Federal regulations, 7 CFR 273.24, limit the duration of receipt of SNAP
24 benefits by nonworking, able-bodied adults without dependents who do not qualify
25 for certain exemptions to a total of three months in any three-year period. However,
26 states may submit to the federal government applications, commonly known as
27 "waivers", to have this three-month limit waived. If approved, such waivers allow
28 able-bodied, nonworking, nonexempt adults to receive SNAP benefits for an
29 unlimited duration if those persons meet other eligibility standards of the program.

1 Nationally, waivers of this type have become the standard in SNAP rather than the
2 exception, as forty states and territories, including Louisiana, had a statewide or
3 territory-wide waiver in effect and six other states and territories had a partial-state
4 or partial-territory waiver in effect as of January 1, 2014.

5 (5) When coordinated and delivered in an effective manner, workforce
6 training services for public assistance customers can be of great value to persons who
7 desire to become self-sufficient and to businesses that strive for greater
8 competitiveness through employing an improved workforce.

9 §1862. Definitions

10 As used in this Subpart, the following terms have the meaning ascribed to
11 them in this Section:

12 (1) "ABAWD" means an able-bodied adult without a dependent who
13 receives SNAP benefits.

14 (2) "Customer" means a recipient of SNAP benefits who participates in the
15 program provided for in this Subpart.

16 (3) "Department" means Louisiana Works.

17 (4) "FNS" means the Food and Nutrition Service of the United States
18 Department of Agriculture, the office of the federal government that administers
19 SNAP.

20 (5) "Program" means the workforce training and education program provided
21 for in this Subpart.

22 (6) "SNAP" means the Supplemental Nutrition Assistance Program
23 administered at the federal level by the Food and Nutrition Service of the United
24 States Department of Agriculture and at the state level by Louisiana Works.

25 §1863. Goals

26 The goals of the program shall include, without limitation, the following:

27 (1) To provide incentives that are demonstrably effective in helping SNAP
28 beneficiaries achieve financial self-sufficiency.

29 (2) To connect employers to job candidates who possess requisite skills so

1 that workforce needs, especially for in-demand occupations, are readily met.

2 (3) To provide support to SNAP customers who choose to further their
3 education.

4 (4) To yield a model for incentivizing training and education for public
5 assistance customers that can be replicated throughout the state.

6 §1864. Workforce training and education program; creation; functions

7 A. A workforce training and education program is hereby created within
8 SNAP for the purpose of improving employment opportunities for nonworking
9 SNAP customers and enhancing workforce readiness. The department shall
10 administer the program in accordance with the provisions of this Subpart.

11 B. The department shall establish the program in a parish with a population
12 of more than one hundred thousand and less than one hundred fifty thousand
13 according to the latest federal decennial census and in which is located the main
14 campus of a public four-year college or university.

15 C. Customers to be served by the program shall include, exclusively, all
16 ABAWDs residing in the parish who are not exempted by any federal or state policy,
17 other than through a waiver of such a policy, from the limitation on SNAP benefits
18 established pursuant to 7 CFR 273.24.

19 D.(1) As a necessary precondition for implementing the program, the
20 department shall ensure that the limitation on duration of receipt of SNAP benefits
21 by nonexempt ABAWDs provided in 7 CFR 273.24 is effective in the parish in
22 which the program is established.

23 (2) If nonexempt ABAWDs in the parish in which the program is established
24 are not subject to any limitation on duration of eligibility for receipt of SNAP
25 benefits as a result of a waiver granted to the state by FNS, then the department shall
26 cause the waiver to be rescinded, cancelled, or otherwise rendered null and without
27 effect for that parish.

28 (3) Nothing in this Subsection shall be construed to require or prohibit the
29 continuation or cancellation of any waiver granted to the state by FNS in any parish

1 other than the parish in which the program is established.

2 E. As its essential function, the program shall provide to each customer, at
3 the time of benefits eligibility redetermination, a six-month extension of SNAP
4 benefits conditioned upon submission of sufficient documentation, as determined by
5 the department, of any of the following:

6 (1) The customer meets any of the following criteria relative to educational
7 advancement:

8 (a) In the previous six months, the customer satisfied requirements
9 established by the department in rule relative to enrollment in an accredited
10 postsecondary educational institution that grants associate or baccalaureate degrees.

11 (b) In the previous six months, the customer satisfied requirements
12 established by the department in rule relative to enrollment in an educational
13 program designed to lead to a high school diploma.

14 (c) In the previous six months, the customer satisfied requirements
15 established by the department in rule relative to enrollment in a general education
16 development test preparation course.

17 (d) The customer earned a high school diploma or a general education
18 development certificate.

19 (2) The customer meets the criteria relative to workforce readiness as
20 required by the department in rule. Such criteria may include but shall not be limited
21 to the following:

22 (a) Participating for a specified minimum number of hours in an approved
23 job-training program.

24 (b) Applying for a specified minimum number of jobs.

25 §1865. Duties of customers

26 Each customer in the program shall do all of the following:

27 (1) At the time of redetermination of eligibility for SNAP benefits, provide
28 to the department all requested documentation of participation in a workforce
29 training or education program.

1 (2) Comply with all other requirements for receipt of SNAP benefits as set
2 forth by the department.

3 §1865.1. Duties of the department

4 A. The department shall submit to FNS applications for any waiver,
5 exemption, or other formal authorization and any state plan amendment as may be
6 necessary to implement the program provided for in this Subpart. The submissions
7 by the department to FNS shall provide for all of the following:

8 (1) Reinstatement in the parish where the program is established of the limit
9 on receipt of SNAP benefits of three months in a three-year period for ABAWDs.

10 (2) Establishment of benefit extensions in six-month increments for
11 customers who meet workforce training or education requirements of the program.

12 (3) Any other functions necessary for the department to establish and operate
13 the program in a manner that conforms with applicable federal and state laws and
14 regulations.

15 B. The department shall enter into any cooperative endeavor agreements,
16 contracts, and other arrangements with any other government agency or any
17 community partner as necessary to ensure adequate availability of workforce training
18 to customers in the parish where the program is established.

19 C. The department shall institute all departmental policies and procedures
20 necessary to ensure that the process for SNAP benefits eligibility redetermination in
21 the parish where the program is established meets all of the following requirements:

22 (1) Eligibility redetermination for each customer occurs no less frequently
23 than once every six months.

24 (2) Eligibility redetermination for each customer shall include a procedure
25 for collecting and verifying documentation from the customer of his engagement in
26 a workforce training or education activity as provided in R.S. 23:1864.

27 D.(1)(a) The department shall transmit notice in writing to all ABAWDs in
28 the parish where the program is established indicating that continuation of benefits
29 beyond the three-month limit that is to be reinstated will be conditioned upon

1 engagement by customers in acceptable workforce training or education activities.

2 (b) The department may transmit to ABAWDs in the parish where the
3 program is established duplicates of the notice provided for in Subparagraph (a) of
4 this Paragraph, and may take any other actions it deems necessary to provide
5 ABAWDs with adequate notification of the changes in SNAP benefits eligibility to
6 be instituted through the program.

7 (2) The department shall transmit to each customer a form that provides a
8 clear description of requirements for continuation of benefits eligibility to be
9 instituted through the program, and a space in which the customer may affirmatively
10 acknowledge that he understands these requirements.

11 (3) During the operation of the program, the department shall promptly
12 notify each customer of any decision concerning his eligibility for SNAP benefits
13 made pursuant to the redetermination process provided for in Subsection C of this
14 Section.

15 E. The secretary of the department shall promulgate all rules and regulations
16 in accordance with the Administrative Procedure Act as necessary to implement the
17 provisions of this Subpart.

18 §1866. Notification to legislative committees; reporting

19 A. The department shall transmit to the members of the House and Senate
20 committees on labor and industrial relations a written notice that addresses the
21 purpose and function of the program. The department may transmit the notice
22 required by this Subsection via electronic mail.

23 B. The department shall annually submit a written report providing a
24 summary and evaluation of outcomes of the program to the House and Senate
25 committees on labor and industrial relations. The department may include the report
26 with its submission of any other report pertaining to SNAP, including without
27 limitation any report required by Subpart A of this Part.

28 §1867. Termination of the program

29 Subject to legislative oversight as provided in the Administrative Procedure

1 Act, R.S. 49:950 et seq., the department may terminate the program by emergency
2 rule if the secretary of the department determines that workforce participation
3 outcomes or educational attainment have not improved to a satisfactory degree as a
4 result of the program.

5 SUBPART C. SNAP WORK REQUIREMENTS

6 §1871. Findings and intent

7 A. The legislature hereby finds and declares the following:

8 (1) It is the policy of this state to encourage self-sufficiency so that
9 Louisianians may reduce dependence on public assistance benefits to meet basic
10 needs and become economically self-reliant.

11 (2) The Supplemental Nutrition Assistance Program (SNAP), formerly
12 known as "food stamps", provides crucial support to needy households and to
13 persons making the transition from public assistance to work.

14 (3) Federal regulations provided for in 7 CFR 273.24 limit the duration of
15 receipt of SNAP benefits by nonworking, able-bodied adults without dependents
16 (ABAWD) who do not qualify for certain exemptions to a total of three months in
17 any three-year period. However, states may submit to the federal government
18 applications, commonly known as "waivers", to have this three-month limit waived.
19 If approved, such waivers allow able-bodied, nonworking, nonexempt adults to
20 receive SNAP benefits for an unlimited duration if those persons meet other
21 eligibility standards of the program. Louisiana has long used these waivers to
22 exempt the majority of able-bodied adults without dependents from the federal work
23 requirement.

24 (4) Federal law allows states to exempt up to eight percent of able-bodied
25 adults from the work requirement without providing any reason whatsoever. These
26 "no-good-cause exemptions" also accumulate and carry over from year to year
27 without limit. As a policy, Louisiana has not used these "no-good-cause
28 exemptions". However, because Louisiana has waived the work requirement, there
29 has been no reason to use these additional exemptions.

1 B. It is the intent of this Subpart to institute a comprehensive, statewide work
2 requirement for able-bodied adults up to fifty-two years old without any dependents
3 who receive SNAP benefits in this state.

4 §1872. Supplemental Nutrition Assistance Program work requirements; restriction
5 on waivers and exemptions

6 A. Unless expressly required by federal law, Louisiana Works shall not seek,
7 apply for, accept, or renew any waiver of work requirements established by the
8 Supplemental Nutrition Assistance Program under 7 U.S.C. 2015(o).

9 B. Louisiana Works shall not exercise the state's option to provide any
10 exemptions from the work requirement under 7 U.S.C. 2015(o)(6)(F).

11 SUBPART D. AID TO NEEDY FAMILIES

12 §1881. Legislative intent

13 A. It is the intent of the legislature that families in Louisiana be strong and
14 economically self-reliant so as to minimize their dependence on government benefits
15 for basic needs. To accomplish this goal, it is the intent of this Subpart that
16 Louisiana Works ensures that all cash assistance customers, with the exception of
17 persons with disabilities or who are incapacitated, are actively and universally
18 engaged in meaningful activities designed to enable their transition from cash
19 assistance to self-reliance. It is the further intent that cash assistance customers
20 demonstrate and are expected to exercise active and diligent personal responsibility
21 in achieving self-reliance through employment and increased workplace literacy. All
22 appropriate state agencies responsible for employment, training, and educating
23 Louisiana's citizens are expected to cooperate in the pursuit of this goal.

24 B. Louisiana Works shall submit written reports on the status of
25 implementation of these provisions to the Performance Review Subcommittee of the
26 Joint Legislative Committee on the Budget annually in March at the same time as the
27 mid-year performance progress report is submitted as provided in R.S.
28 39:87.3(A)(2). The written reports shall include but not be limited to, data providing
29 performance measures assessing the success of performance-based agreements, job

1 readiness, workplace literacy, job development services, and any additional data
2 necessary as determined by the committee.

3 §1882. Aid to needy families; definitions

4 As used in this Subpart, unless the context clearly requires otherwise:

5 (1) "Adult paraphernalia store" means an establishment that has as a
6 substantial or significant portion of its stock clothing, objects, tools, toys, or any
7 other items distinguished or characterized by their association with sexual activity,
8 including sexual conduct or sexual excitement.

9 (2)(a) "Amusement attraction" means a movie theater, video arcade, or any
10 other building, structure, or place principally devoted to activities providing
11 amusement, pleasure, thrills, or excitement.

12 (b) "Amusement attraction" does not include any enterprise principally
13 devoted to the exhibition of products of agriculture, industry, education, including
14 zoos and aquariums, science, religion, sports, or the arts.

15 (3) "Amusement ride" means any mechanized device or combination of
16 devices that carries passengers along, around, or over a fixed or restricted course for
17 the purpose of giving its passengers amusement, pleasure, thrills, or excitement.
18 "Amusement ride" also includes inflatables.

19 (4) "Applicant" means a parent or relative of the parent who applies for
20 FITAP on behalf of a child.

21 (5) "Automated teller machine" means an electronic hardware device that is
22 capable of dispensing currency and responding to balance inquiries through the use
23 of a magnetic stripe card issued by or on behalf of the state for distribution of
24 assistance through an electronic benefits transfer system as described in this Subpart.

25 (6) "Bail" means security given by a person to assure his appearance, or the
26 appearance of a third party, before the proper court whenever required.

27 (7) "Bar" means a business that holds a Class A-General retail permit and the
28 primary purpose of such business is to serve alcoholic beverages for consumption by
29 guests on the premises and in which the serving of food is only incidental to the

1 consumption of those beverages. Bars include, without limitation, taverns, saloons,
2 nightclubs, cocktail lounges, and cabarets.

3 (8) "Cash assistance" means funds that the department provides through the
4 Family Independence Temporary Assistance Program and the Kinship Care Subsidy
5 Program to eligible beneficiaries for the purpose of assisting those persons in
6 meeting ongoing basic needs.

7 (9) "Commercial body art facility" means any location, place, area, or
8 business, whether permanent or temporary, that provides consumers access to
9 personal services workers who for remuneration perform any of the following
10 procedures:

11 (a) Tattooing or inserting pigment under the surface of the skin of a human
12 being, by pricking with a needle or otherwise, to produce an indelible mark or figure
13 visible under the skin.

14 (b) Body piercing or the creation of an opening in the body of a human being
15 for the purpose of inserting jewelry or other decoration. For purposes of this
16 Subpart, "body piercing" does not include piercing an ear with a disposable, single-
17 use stud or solid needle that is applied using a mechanical device to force the needle
18 or stud through the ear.

19 (c) Application of permanent cosmetics or pigments under the skin of a
20 human being for the purpose of permanently changing the color or other appearance
21 of the skin, including but not limited to permanent eyeliner, eye shadow, or lip color.

22 (10) "Cruise ship" means any commercial ship used for the domestic or
23 international carriage of passengers.

24 (11) "Customer" means the parent or a relative of the parent who receives
25 FITAP benefits on behalf of a dependent child.

26 (12) "Department" means Louisiana Works.

27 (13) "Dependent child", in accordance with federal law and regulations
28 relative to the Temporary Assistance for Needy Families (TANF) program, shall
29 mean a needy child who meets all of the following criteria:

1 (a) A needy child under the age of eighteen or needy child under the age of
2 nineteen who is a full-time student in a secondary school, or in the equivalent level
3 of vocational or technical training, who may reasonably be expected to complete the
4 program of such secondary school or training before attaining the age of nineteen.

5 (b) The child is living with his father, mother, stepfather, stepmother, or
6 other relative, within the fifth degree, in a place of residence maintained by one or
7 more of such relatives as his or their own home. For the purposes of this Subpart,
8 all such persons shall be deemed as relatives, whether their relationship to the
9 dependent child was acquired by adoption, marriage, or birth, and neither divorce nor
10 death shall terminate such relationship.

11 (14) "Electronic benefits transfer transaction" and "EBT transaction" mean
12 the use of a credit or debit card service, automated teller machine, point-of-sale
13 terminal, or access to an online system for the withdrawal of funds.

14 (15) "Family Independence Temporary Assistance Program" or "FITAP"
15 means the cash assistance program.

16 (16) "Family Success Agreement" means the mutually developed contract
17 between a FITAP customer, on behalf of their family, and the department that sets
18 forth mutual and time-bound responsibilities, expectations, activities, and goals
19 designed to transition a customer from public assistance to self-sufficiency.

20 (17) "Federal Welfare Reform Act" means the federal Personal
21 Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996,
22 Public Law 104-193, and applicable changes due to its reauthorization.

23 (18)(a) "Gaming establishment" means a gambling casino and any other
24 establishment that provides gaming activities that are subject to regulation by the
25 Louisiana Gaming Control Board.

26 (b) "Gaming establishment" does not include either of the following:

27 (i) A grocery store that sells groceries including staple foods and that also
28 offers, or is located within the same building or complex as, casino activities,
29 gambling, or gaming activities.

1 (ii) Any establishment that offers casino, gambling, or gaming activities that
2 are incidental to the principal purpose of the business.

3 (19) "Jewelry" means an object or thing consisting of precious stones or
4 precious metals worn as adornment or apparel, including costume jewelry.

5 (20)(a) "Liquor store" means any retail establishment that sells exclusively
6 or primarily intoxicating liquor.

7 (b) "Liquor store" does not include a grocery store that sells both
8 intoxicating liquor and groceries, including staple foods.

9 (21) "Nail salon" means a commercial establishment that provides nail
10 services of any kind including but not limited to trimming, filing, decorating,
11 shaping, sculpting, or in any way caring for the nails and skin of a person's hands or
12 feet together with massaging the hands, arms, legs, and feet.

13 (22) "Point-of-sale terminal" means an electronic hardware device that meets
14 all of the following criteria:

15 (a) May be utilized at a retailer's place of business where consumers pay for
16 goods or services.

17 (b) Is capable of the following:

18 (i) Initiating a request for authorization of a purchase of tangible personal
19 property.

20 (ii) Disbursing currency from an account.

21 (iii) Initiating a balance inquiry for an account.

22 (iv) Distributing assistance through an electronic benefits transfer system as
23 described in this Subpart.

24 (23) "Psychic" means any person or establishment engaged in the occupation
25 of occult science including a fortune teller, palmist, astrologist, numerologist,
26 clairvoyant, craniologist, phrenologist, card reader, spiritual reader, tea leaf reader,
27 prophet, or advisor who in any manner claims or pretends to tell fortunes or claims
28 or pretends to disclose mental faculties of individuals for any form of compensation.

29 (24) "Secretary" means the secretary of Louisiana Works.

1 (25) "Sexually oriented business" means any commercial enterprise that has
2 as its primary business the offering of a service or the sale, rent, or exhibit of devices
3 or any other items intended to provide sexual stimulation or sexual gratification to
4 the customer.

5 (26) "State plan" means the state TANF block grant plan.

6 (27) "Strategies to Empower People" or "STEP" means the education,
7 employment, training, and related services program for families receiving cash
8 assistance payments.

9 (28) "Temporary Assistance for Needy Families" or "TANF" means the
10 federal block grant program established under the Personal Responsibility and Work
11 Opportunity Reconciliation Act of 1996, Public Law 104-193, and applicable
12 changes due to its reauthorization.

13 (29) "Work-eligible" refers to families containing an adult under sixty years
14 of age, or teen head of household, that is not disabled, incapacitated, or caring for a
15 family member who is disabled or incapacitated as documented by a medical expert
16 to which the status of disability is clearly established and explained. "Work-eligible"
17 also excludes cases in which only the child portion of need that is unrelated to a
18 sanction or penalty, known as a child-only case, is considered in determining
19 eligibility.

20 §1882.1. Family Assistance Programs; prohibitions; requirements

21 A. The state public assistance program shall consist of a cash assistance
22 program, the Family Independence Temporary Assistance Program and an education,
23 employment, training, and related services program for work-eligible families,
24 STEP, and TANF-funded initiatives.

25 B. The state public assistance programs funded with federal TANF funds
26 shall include all the requirements and prohibitions of the Personal Responsibility and
27 Work Opportunity Reconciliation Act (PRWORA), and applicable changes due to
28 its reauthorization.

1 §1882.2. Family Independence Temporary Assistance Program; benefits; eligibility

2 A.(1) The department shall develop and administer a temporary assistance
3 program to be known as the "Family Independence Temporary Assistance Program"
4 (FITAP) that shall provide money payments to the following:

5 (a) On behalf of a dependent child.

6 (b) On behalf of a pregnant woman, if medically verified that the woman is
7 in the sixth month of pregnancy and if the unborn child would be eligible for family
8 independence temporary assistance, had the child been born and living with her
9 during the month of payment.

10 (2) FITAP assistance shall include money payments to meet the needs of a
11 dependent child, including payments to meet the needs of the father, mother,
12 stepfather, stepmother, or other relative or the relative's spouse with whom the child
13 is living, and the needs of any other individual living in the same home if such needs
14 are taken into account in making the determination of eligibility.

15 B. Notwithstanding the provisions of Subsection A of this Section, FITAP
16 assistance shall not mean:

17 (1) Any amount paid to meet the needs of an unborn child.

18 (2) Any amount paid to or an increase in payment on behalf of a woman who
19 has not medically verified that she is in the sixth month of pregnancy.

20 C. The secretary shall promulgate rules and regulations defining countable
21 and exempt income and resources and establishing additional eligibility criteria.

22 D. Nothing in this Subpart shall be construed as authorizing any state
23 official, agent, or representative in carrying out any of the provisions of this Subpart
24 to take charge of any child over the objection of either of the parents of the child, or
25 over the objections of the tutor or other persons having the legal care, custody and
26 control of the child.

27 §1882.3. FITAP benefits; prohibited uses

28 A. A customer shall not use benefits in an electronic benefits transfer
29 transaction in any of the following places:

- 1 (1) A liquor store.
- 2 (2) A gaming establishment.
- 3 (3) A retail establishment that provides adult-oriented entertainment in
4 which performers disrobe or perform in an unclothed state for entertainment
5 purposes.
- 6 (4) An adult bookstore.
- 7 (5) An adult paraphernalia store.
- 8 (6) A sexually oriented business.
- 9 (7) A commercial body art facility.
- 10 (8) A nail salon.
- 11 (9) A jewelry store.
- 12 (10) An amusement ride.
- 13 (11) An amusement attraction.
- 14 (12) A bail bonds company.
- 15 (13) A bar.
- 16 (14) A cruise ship.
- 17 (15) A psychic business.
- 18 (16) An establishment where persons under eighteen years of age are not
19 permitted to enter.
- 20 B. A customer shall not use such benefits in any electronic benefits transfer
21 transaction at a retailer for the purchase of any of the following:
- 22 (1) An alcoholic beverage as defined in R.S. 14:93.10.
- 23 (2) A tobacco product as defined in R.S. 14:91.6(B).
- 24 (3) A ticket for a lottery as defined in R.S. 47:9002.
- 25 (4) Jewelry as defined in R.S. 23:1882.
- 26 C. The FITAP case of any customer who violates the provisions of this
27 Section shall be closed in accordance with the following schedule:
- 28 (1) Case closure for a period of twelve months for the first violation.
- 29 (2) Case closure for a period of twenty-four months for the second violation.

1 (3) Permanent case closure for the third violation.

2 D. A customer whose FITAP case is closed pursuant to the provisions of this
3 Section shall have the right to a hearing conducted in accordance with the
4 Administrative Procedure Act.

5 §1882.4. Public assistance customers; parenting skills education; condition of
6 eligibility

7 A. The secretary shall establish a program to provide parenting skills
8 education for public assistance customers who are pregnant or have a child under the
9 age of one and shall require participation as a primary work activity under a Family
10 Success Agreement. Parents with children under the age of one are not considered
11 exempt from participation in this work activity. Customers who fail to participate
12 in these activities shall be subject to sanction for non-participation and shall be
13 considered to be out of compliance with a Family Success Agreement. Applicable
14 child care and transportation shall be provided to customers to enable their
15 participation.

16 B. The secretary of the department shall adopt rules and regulations for the
17 administration of the program established pursuant to this Section.

18 §1882.5. Termination of eligibility; twenty-four-month limit; refusal of employment

19 A. A family shall be ineligible for FITAP benefits, including automatic
20 eligibility for medical assistance under Title XIX of the Social Security Act
21 (Medicaid), if any one of the following applies:

22 (1) The parent has received FITAP for at least twenty-four months, whether
23 consecutive or not, out of the previous sixty months after January 1, 1997.

24 (2) A work-eligible parent has declined or refused the opportunity for
25 full-time employment as specified in the customer's Family Success Agreement or
26 has not complied with required work activities as specified in the customer's Family
27 Success Agreement.

28 B. The provisions of this Section shall not apply to an individual who is
29 incapacitated or has a disability as documented or to such an individual in the

1 customer's household.

2 C. The secretary of the department may promulgate rules and regulations
3 which establish exceptions to the time limitations provided in this Section to the
4 extent that funds are available for this purpose; however, any exception shall be
5 contingent upon the customer maintaining compliance with the STEP Family
6 Success Agreement pursuant to R.S. 23:1882.6.

7 §1882.6. Employment, education, and related services for FITAP customers;
8 responsibilities of the secretary, agencies, and customers

9 A.(1) The department shall develop and implement STEP as the employment
10 program for work-eligible customers of cash assistance in accordance with the
11 provisions of the Federal Welfare Reform Act. The department shall identify and
12 coordinate employment services for the program.

13 (2) The employment services provided for in this Subsection may be
14 delivered pursuant to performance-based contracts between the department and other
15 government agencies or any community partner. The services may include but shall
16 not be limited to the following:

17 (a) Job readiness, job preparation, and job search.

18 (b) Workplace literacy and related assessments.

19 (c) Applicable skill-based training, employer-based training, and other
20 employment activities designed to meet the needs of Louisiana employers with a
21 preference towards in-demand occupations.

22 (d) Temporary and permanent job placements.

23 (e) Subsidized employment services.

24 (f) On-the-job training.

25 B. In order to receive cash assistance, an applicant who is work-eligible as
26 defined in R.S. 23:1882 shall fulfill each requirement set forth in his Family Success
27 Agreement and shall participate in the employment program provided for in
28 Subsection A of this Section.

29 C. Prior to receipt of cash assistance, a work-eligible customer shall be

1 notified in writing of program expectations and customer responsibilities. When
2 possible, notification may be delivered via e-mail or other electronic means, and
3 notification delivered in this manner shall be deemed to satisfy the written
4 notification requirement established in this Subsection.

5 D. Within the limits of appropriation therefor, the secretary shall establish
6 and administer STEP, which shall include the allowable work activities as provided
7 in the Federal Welfare Reform Act, for work-eligible customers of FITAP.

8 E. Subject to appropriation, the department may provide support services and
9 transitional services to facilitate progress by FITAP customers toward
10 self-sufficiency and sustainable employment.

11 F. The secretary shall promulgate in accordance with the Administrative
12 Procedure Act any rules necessary to implement the provisions of this Section.

13 §1882.7. Retailer fees for access to cash assistance benefits

14 Retailers participating in the cash assistance electronic benefits transfer
15 system shall not be prohibited from charging or assessing a fee against cash
16 assistance customers who are accessing benefits for the sole purpose of obtaining
17 cash. Such fee shall not exceed the retailer's normal and customary check cashing
18 fee assessed against the general public. Retailers shall not establish maximum limits
19 for customer access to cash assistance benefits.

20 §1882.8. Prohibited retailers, goods, and services; penalties; appeals

21 A. No retailer or other business establishment that participates in the cash
22 assistance electronic benefits transfer system shall accept the electronic benefits
23 transfer card in payment for any of the following:

24 (1) An alcoholic beverage as defined in R.S. 14:93.10.

25 (2) A tobacco product as defined in R.S. 14:91.6(B).

26 (3) A ticket for a lottery as defined in R.S. 47:9002.

27 (4) Jewelry as defined in R.S. 23:1882.

28 B. The following retailers and business establishments are prohibited from
29 conducting any electronic benefits transfer transaction:

- 1 (1) A liquor store.
- 2 (2) A gaming establishment.
- 3 (3) A retail establishment that provides adult-oriented entertainment in
4 which performers disrobe or perform in an unclothed state for entertainment
5 purposes.
- 6 (4) An adult bookstore.
- 7 (5) An adult paraphernalia store.
- 8 (6) A sexually oriented business.
- 9 (7) A commercial body art facility.
- 10 (8) A nail salon.
- 11 (9) A jewelry store.
- 12 (10) An amusement ride.
- 13 (11) An amusement attraction.
- 14 (12) A bail bonds company.
- 15 (13) A bar.
- 16 (14) A cruise ship.
- 17 (15) A psychic business.
- 18 (16) An establishment where persons under eighteen years of age are not
19 permitted to enter.
- 20 C.(1) Except as provided in Paragraph (2) of this Subsection, each business
21 of any type described in Subsection B of this Section that has an automated teller
22 machine or point-of-sale terminal on its premises shall disable access to electronic
23 cash assistance benefits through such machine or terminal.
- 24 (2) The provisions of Paragraph (1) of this Subsection shall not apply to any
25 business approved by the Food and Nutrition Service of the United States
26 Department of Agriculture as a retailer in the Supplemental Nutrition Assistance
27 Program of this state.
- 28 D. A retailer or other business establishment that violates any provision of
29 Subsection A or B of this Section shall be subject to the following civil fines:

1 (1) Five hundred dollars for the first violation.

2 (2) One thousand dollars for the second violation.

3 (3) Two thousand five hundred dollars for the third violation and each
4 violation thereafter.

5 E.(1) The department shall promulgate rules and regulations in accordance
6 with the Administrative Procedure Act to effectuate the provisions of this Section.

7 The rules and regulations shall provide, at minimum, for notice to a retailer or other
8 business establishment of any violation, and for an appeal procedure including
9 judicial review.

10 (2) The appeal provided for in this Subsection shall be suspensive. Each
11 appeal initiated pursuant to this Subsection shall be heard by the division of
12 administrative law in accordance with the applicable provisions of Chapter 13-B of
13 Title 49 of the Louisiana Revised Statutes of 1950.

14 (3) The division of administrative law shall furnish to the department and
15 retailer or other business establishment a copy of the decision rendered in the appeal
16 and written notice of the manner for requesting judicial review.

17 (4) Authority to impose the fines provided for in Subsection D of this
18 Section shall commence on July 1, 2027.

19 F. The department may institute any civil court action necessary to collect
20 fines imposed pursuant to this Section and not timely appealed. Interest shall begin
21 to accrue at the current judicial rate on the day following the date on which any fines
22 become due and payable. All costs of any successful action to collect such fines,
23 including travel expenses and reasonable attorney fees, shall be awarded to the
24 department in addition to the fines.

25 G.(1) Civil fines collected pursuant to the provisions of this Section shall be
26 deposited immediately into the state treasury.

27 (2) After compliance with the requirements of Article VII, Section 9(B) of
28 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
29 and prior to the monies being placed in the state general fund, an amount equal to the

1 amount deposited as provided in Paragraph (1) of this Subsection shall be credited
2 to the Fraud Detection Fund created by R.S. 23:1838.3.

3 (3) Monies in the Fraud Detection Fund may be appropriated by the
4 legislature to the department in the manner prescribed by and for the purposes
5 specified in R.S. 23:1838.3(D).

6 §1883. Investigations and reports

7 A. If any person has knowledge that any dependent child is dependent upon
8 the public for support, or that the interest of the public requires that the child be
9 granted aid, the person may notify the field office in the parish where the child
10 resides, and the department shall make an investigation and examination of the
11 circumstances of the child before the granting of aid.

12 B. A report of the investigation, examination, and visit shall be made in
13 writing and become a part of the record in the case.

14 §1884. Eligibility for assistance; amount and conditions of aid

15 Assistance shall be granted to or on behalf of any child found to be in
16 necessitous circumstances as defined by regulations for eligibility of the state agency
17 responsible for administering the assistance program.

18 §1884.1. Recovery of overpayments

19 A. The department shall establish procedures to accomplish the requirements
20 of this Section in accordance with the Louisiana Administrative Procedure Act.

21 B. The department will promptly take all necessary steps to correct any
22 overpayment, including collection, or underpayment of assistance under the state
23 public assistance program, and, in the case of:

24 (1) An overpayment to or on behalf of an individual who is a current
25 customer of such assistance, including a current FITAP customer whose
26 overpayment occurred during a prior period of eligibility, recovery shall be made by
27 repayment by the individual or by reducing the amount of any future assistance
28 payable to or on behalf of the family of which he is a member.

29 (2) An overpayment to or on behalf of any individual who is no longer

1 receiving assistance, recovery may be made by appropriate action against the income
2 or resources of the individual or the family.

3 §1884.2. Individuals convicted of certain felonies; eligibility for assistance

4 As authorized by 21 U.S.C. 862a(d)(1), this state hereby exempts all
5 individuals domiciled in the state from the application of the prohibition provided
6 in 21 U.S.C. 862a(a) on eligibility for the following assistance programs and
7 benefits:

8 (1) Cash benefits under any state program funded under Part A of Title IV
9 of the Social Security Act.

10 (2) Benefits under the Supplemental Nutrition Assistance Program as defined
11 in Section 3 of the Food and Nutrition Act of 2008 or any state program carried out
12 under that Act.

13 §1885. Judicially appointed curator

14 In lieu of selecting a payee to receive assistance, Louisiana Works, pursuant
15 to federal regulations, may require the referral of the case to the district court for a
16 judicially appointed curator. The court may appoint a capable, interested, and
17 willing third person, irrespective of whether he is related to the child within any of
18 the degrees of relationship set forth in Section 406(a) of Title IV of the Social
19 Security Act, to receive the payments and use them in the best interest of the child.
20 The curator shall be accountable at whatever intervals are specified by the court and
21 the court shall require a bond or whatever other security is deemed necessary by the
22 court to ensure the faithful performance of the curator's duties. The curator, upon
23 being appointed, shall take the oath and letters of authority may be issued to him. In
24 those instances in which the department requires the case to be referred to the court
25 for the appointment of a curator, each local governing authority shall have the option
26 in any case to provide compensation to the curator.

27 §1886. Receipt of assistance payments

28 All assistance payments for aid under FITAP and the Kinship Care Subsidy
29 Program shall be mailed so as to reasonably assure that they will be received on the

1 date due. If the due date falls on a weekend or a holiday, then the assistance
2 payment shall be mailed so as to reasonably assure its receipt on the last regular
3 banking date immediately preceding the due date.

4 §1887. Distribution of funds in violation of provisions

5 No state funds appropriated for public assistance shall be distributed or paid
6 out in violation of the provisions of this Subpart.

7 §1888. Administration of emergency assistance to needy families with children

8 In order to extend and improve services, aid, and care to needy children and
9 needy families with children in this state, and in order to take full advantage of
10 existing federally funded programs on a matched basis, Louisiana Works shall be the
11 agency of the state of Louisiana to cooperate with the United States and to administer
12 Title IV-A, Sections 403 and 406 of the Social Security Act (42 U.S.C. 603 and 606)
13 or any amendments thereto, relating to emergency assistance to needy families with
14 children, and to receive and expend federal moneys for these services.

15 §1889. Kinship Care Subsidy Program

16 A. There is hereby established a Kinship Care Subsidy Program in Louisiana
17 Works, for the purpose of assisting eligible kinship caregivers, including
18 grandparents, step-grandparents, or other adult relatives within the fifth degree who
19 have legal custody or guardianship of their minor relatives.

20 B. For purposes of this Section:

21 (1) "Customer" means an applicant or recipient of the Kinship Care Subsidy
22 Program.

23 (2) "Kinship caregiver" means the grandparent, step-grandparent, aunt,
24 uncle, or other adult relative within the fifth degree of consanguinity.

25 (3) "Minor relative" means a grandchild, step-grandchild, or other minor
26 relative not the natural or adopted child of the kinship caregiver who is under
27 eighteen years of age and who meets the definition of "dependent child" specified
28 in R.S. 23:1882.

29 C. To be eligible to qualify for a subsidy under the program, a kinship

1 caregiver of a minor relative shall meet the following requirements:

2 (1) Possess or obtain, within one year of enrolling in the program, legal
3 custody or guardianship of a minor relative who is living in his home.

4 (2) Have an annual income of less than one hundred fifty percent of the
5 federal poverty threshold, in accordance with the size of the family applying for the
6 subsidy.

7 (3) Apply for benefits through the Family Independence Temporary
8 Assistance Program (FITAP).

9 (4) Have neither of the minor relative's parents residing in the customer's
10 household.

11 (5) Agree to pursue the enforcement of child support obligations against the
12 parents of the minor relative with the assistance of the Department of Children and
13 Family Services in accordance with applicable law.

14 E. Louisiana Works shall promulgate rules and regulations to establish the
15 amount of the subsidy to be awarded on behalf of each minor relative.

16 F. Louisiana Works shall promulgate rules and regulations to provide for any
17 other eligibility requirements which are reasonably necessary to administer the
18 Kinship Care Subsidy Program in accordance with this Section and any federal
19 requirements, to promote the safety and well-being of any minor relative for whom
20 subsidies are issued, and to establish procedures for reconsideration of eligibility of
21 customers no less than annually.

22 G. The subsidy provided for in this Section shall be administered by
23 Louisiana Works and funded through the TANF block grant.

24 H.(1) A customer of Kinship Care Subsidy Program benefits shall not use
25 such benefits in an electronic benefits transfer transaction in any of the following
26 places:

27 (a) A liquor store.

28 (b) A gaming establishment.

29 (c) A retail establishment that provides adult-oriented entertainment in which

1 performers disrobe or perform in an unclothed state for entertainment purposes.

2 (d) An adult bookstore.

3 (e) An adult paraphernalia store.

4 (f) A sexually oriented business.

5 (g) A commercial body art facility.

6 (h) A nail salon.

7 (i) A jewelry store.

8 (j) An amusement ride.

9 (k) An amusement attraction.

10 (l) A bail bonds company.

11 (m) A bar.

12 (n) A cruise ship.

13 (o) A psychic business.

14 (p) An establishment where persons under eighteen years of age are not
15 permitted to enter.

16 (2) A customer of Kinship Care Subsidy Program benefits shall not use such
17 benefits in any electronic benefits transfer transaction at a retailer for the purchase
18 of any of the following:

19 (a) An alcoholic beverage as defined in R.S. 14:93.10.

20 (b) A tobacco product as defined in R.S. 14:91.6(B).

21 (c) A ticket for a lottery as defined in R.S. 47:9002.

22 (d) Jewelry as defined in R.S. 23:1882.

23 (3) The Kinship Care Subsidy Program case of any customer who violates
24 the provisions of this Section shall be closed in accordance with the following
25 schedule:

26 (a) Case closure for a period of twelve months for the first violation.

27 (b) Case closure for a period of twenty-four months for the second violation.

28 (c) Permanent case closure for the third violation.

29 (d) A customer whose Kinship Care Subsidy Program case is closed pursuant

1 to the provisions of this Subsection shall have the right to a hearing pursuant to the
2 Administrative Procedure Act.

3 SUBPART E. WELFARE REFORM ACT OF 1995

4 §1891. Submission of quarterly reports to the legislature

5 Louisiana Works shall submit copies of the federal quarterly ACF-196 and
6 ACF-696 reports to the House and Senate committees on labor and industrial
7 relations, the House Committee on Appropriations, and the Senate Committee on
8 Finance at the time these reports are submitted to the federal government. Upon
9 request, the department shall submit copies of any other report the legislature deems
10 necessary.

11 §1891.1. Adult basic education; literacy training; vocational educational training

12 To the extent allowed by federal law and notwithstanding any other state law,
13 rule, or regulation to the contrary, adult basic education and literacy training shall be
14 included in the definition of vocational educational training for purposes of
15 calculating work participation rates under the Temporary Assistance for Needy
16 Families programs. This law shall apply to any person receiving such education or
17 training, regardless of the person's age.

18 §1891.2. Educational opportunities to promote self-sufficiency

19 A. The legislature hereby finds that an employment-focused program has
20 succeeded in reducing public assistance rolls by focusing on the importance of work
21 as a way of escaping poverty; education and employment can give public assistance
22 recipients the literacy, knowledge, and aptitude to obtain and retain private
23 career-path employment; that these programs retain their importance in reducing
24 public assistance dependency; that new federal legislation places an increased
25 emphasis on employment and allows the combining of employment-related activities
26 with educational activities; and that to the extent that they can be funded under the
27 new federal welfare reform program without hindering the other federally recognized
28 goals, they should be funded.

29 B. Within this Section, "educational activities" refers to the following

1 educational activities funded by the Department of Children and Family Services in
2 the state 1995-96 Fiscal Year, but not countable towards the federal participation
3 requirements of 42 U.S.C. 407 as amended in 1996:

4 (1) Courses for obtaining general equivalency degrees.

5 (2) Adult basic education and literacy training.

6 (3) Vocational-technical training.

7 D. The department shall report to the Senate and House committees on labor
8 and industrial relations on or before September 1, 2027, and quarterly thereafter,
9 regarding implementation of the provisions of this Section and to what extent the
10 investment level shall be reached for the fiscal year.

11 E.(1) The provisions of this Section shall apply only to the extent permissible
12 from federal TANF funds and uncommitted maintenance of effort funds the state is
13 required to spend under TANF.

14 (2) The provisions of this Section shall also apply only to the extent that
15 TANF and maintenance of effort funds are available and uncommitted for
16 expenditure for other purposes by the department or by the legislature.

17 (3) Funds that have been received from the federal government shall be
18 considered available and uncommitted if the requisite approval for the expenditure
19 of such funds in accordance with the provisions of R.S. 39:131 et seq. has not been
20 obtained.

21 F. Nothing in this Section shall prohibit the legislature from appropriating
22 state funds for the educational activities defined in this Section.

23 §1891.3. Earned income disregards for certain TANF customers

24 A. In order to promote self-sufficiency, Louisiana Works shall disregard a
25 customer's first six months of earnings up to nine hundred dollars of gross earnings
26 per month in determining the amount of his household's benefit under Temporary
27 Assistance for Needy Families, provided that the customer is engaged in a work
28 activity which has been approved by the department as part of his work participation
29 requirement under TANF.

1 B. This provision shall apply to a household only one time.

2 C. Months in which a customer receives the statutory earned income
3 disregard pursuant to Subsection A of this Section shall not count toward the state
4 twenty-four-month limit provided in R.S. 23:1882.5(A)(1).

5 D. For purposes of this Section, "Temporary Assistance for Needy Families"
6 or "TANF" means the federal block grant program established under the Personal
7 Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law
8 104-193.

9 E. The department shall promulgate rules and regulations to implement the
10 provisions of the earned income disregard program provided in Subsection A of this
11 Section, in accordance with the Administrative Procedure Act.

12 §1891.4. Individual development account

13 A. For purposes of this Section, "individual development account" shall
14 mean a financial account to be used for the purposes specified in this Section and
15 established in the name of an individual account holder who is eligible for the
16 individual development account program based on established income eligibility
17 determination.

18 B. Notwithstanding any other provision of law to the contrary, a customer
19 may still receive TANF benefits while maintaining an individual development
20 account that meets the following criteria:

21 (1)(a) Deposits shall only be made by the individual account holder, a
22 nonprofit organization, an individual contributor, or the state on behalf of the
23 individual.

24 (b) Total deposits into an individual development account over the life of the
25 account shall not exceed six thousand dollars excluding interest.

26 (2) At any point in time, the balance of an individual development account
27 shall not exceed six thousand dollars.

28 (3) The account holder may withdraw monies from an individual
29 development account for the following purposes only:

1 (a) To pay his educational expenses incurred at an accredited institution of
2 higher education.

3 (b) To pay his training costs incurred for a training program approved by the
4 department.

5 (c) To pay for work-related clothing, tools, or equipment as approved by the
6 department.

7 (d) For home ownership.

8 (e) For business capitalization.

9 (4) TANF monies may be deposited into this account, including but not
10 limited to any matching funds that may be appropriated for that purpose.

11 C. The department shall ensure that there is a limitation of one individual
12 development account per household.

13 D. An individual account holder who ceases to receive TANF program
14 benefits may withdraw deposited monies from an individual development account
15 for any purpose, except that the individual account holder shall comply with any
16 restriction on the use of any monies deposited by a nonprofit organization or an
17 individual contributor, or on the use of any state matching funds.

18 E. The department shall promulgate rules and regulations in accordance with
19 the Administrative Procedure Act to implement the provisions of this Section which
20 shall include but not be limited to the following:

21 (1) The establishment and administration of the individual development
22 account program.

23 (2) The criteria a nonprofit organization or an individual contributor shall
24 satisfy before making a deposit to an individual development account.

25 (3) Penalties for fraud or abuse of any provision of this Section.

26 F. The department may administer an individual development account
27 program as provided in this Section contingent upon the availability of funding to do
28 so.

1 §1891.5. Incentive Award Program; dropout reduction; teen pregnancy reduction

2 A. Louisiana Works in consultation with the Department of Education shall
3 develop and implement a special program, the Incentive Award Program, whereby
4 the governing authority of a parish and a parish school system may receive a
5 financial award for reducing the teen pregnancy rate and dropout rate for the parish.

6 B. The department, in developing this program, shall:

7 (1) Develop and define the standards to be used to measure progress.

8 (2) Develop the procedure to be used to collect relevant data to be used to
9 determine progress.

10 (3) Require that the data collected be compiled into an annual progress report
11 which ranks each parish relative to the progress made by the parish in the relevant
12 categories and provide for the delivery of the report to each school, parish governing
13 authority, and parish school system in the state.

14 (4) Provide for the annual identification of at least ten parishes that have
15 made the most significant progress in the past year and that will be eligible for the
16 financial award.

17 C. Through the Incentive Award Program, the department shall provide a
18 financial award to each of the ten parishes identified in the annual progress report
19 that have demonstrated the most significant reduction in dropout rates, as defined by
20 rule of the Department of Education, and in teen pregnancy rates as defined by rule
21 of Louisiana Works. The financial award shall be distributed to the ten parish school
22 systems. These awards may be expended by the parish school system to implement
23 innovative community-based and school-based programs designed to further reduce
24 the dropout rate and the teen pregnancy rate for the parish and for instructional
25 enhancement programs.

26 D. No award shall be granted through the Incentive Award Program until
27 such time as the state receives a financial bonus award from the federal government
28 provided for in the Personal Responsibility and Work Opportunity Reconciliation
29 Act of 1996 (PRWORA), which provides for awards to the five states that have

1 demonstrated the largest net decrease in the rate of out-of-wedlock births.

2 §1891.6. TANF eligibility; teen parent living arrangements; work participation
3 requirements; submission of waiver

4 A.(1)(a) Any customer of Temporary Assistance for Needy Families Block
5 Grant (TANF) benefits who is less than eighteen years of age, is not married, and is
6 a custodial parent shall live in an approved adult-supervised living arrangement with
7 his child, except when evidence is presented to a caseworker of Louisiana Works that
8 the teen parent, or his child, has been subjected to emotional or physical abuse.

9 (b)(i) If the caseworker determines that the teen parent, or his child, has been
10 subjected to the abuse of an adult with whom they are living in a primary
11 relationship and that under the circumstances the teen, and his child, would be safer
12 living outside the present adult-supervised living arrangement, then the teen parent
13 and child shall be allowed to live outside such living arrangement temporarily.

14 (ii) If the teen parent leaves his such living arrangement, the caseworker
15 shall monitor the teen's case no less frequently than once a month and shall assist the
16 teen parent in locating another approved adult-supervised living arrangement, taking
17 into consideration the needs and concerns of the teen parent and child.

18 (c) The teen parent shall be allowed to receive TANF benefits on behalf of
19 himself, and his child, while temporarily living outside an adult-supervised living
20 arrangement as provided in this Subsection.

21 (2) Work-eligible, minor parents with children who have not yet received a
22 high school diploma or equivalency shall attend school or related education classes
23 designed to obtain a high school diploma or its equivalent. School attendance shall
24 be the primary work activity for those minor parents who do not have a high school
25 diploma or equivalency. These expectations shall become part of the customer's
26 Family Success Agreement. Minor parents who fail to participate in these activities
27 are subject to sanction for non-participation and are considered to be out of
28 compliance with a Family Success Agreement.

29 B. The secretary of Louisiana Works may temporarily exempt from the work

1 participation requirements any female who is in a two-parent TANF family who
2 presents sufficient evidence to support a claim that she has been incapable of
3 maintaining a job or regularly reporting to her place of employment because she is
4 a victim of domestic violence and has been forced to move into a shelter or another
5 protective environment outside her home.

6 §1891.7. Waivers for victims of domestic violence

7 A. The secretary shall waive, for as long as necessary, pursuant to a
8 determination of good cause, any public assistance program requirement that will
9 create obstacles for a victim of domestic violence to escape a domestic violence
10 situation, including but not limited to time limits on receipt of assistance, work,
11 training or educational requirements, limitations of TANF requirements, residency
12 requirements, and any other program requirements which will create obstacles for
13 the victim to escape violence or penalize that victim for past, present, and potential
14 abuse. However, a victim of domestic violence shall develop a plan that specifies
15 the necessary actions, goals, and services that may enable the victim to become free
16 of a domestic violence situation. Such plan shall be made a component of the
17 customer's Family Success Agreement.

18 B. Any information obtained pursuant to this Section regarding a victim of
19 domestic violence shall be used solely for the purposes provided for in Subsection
20 A of this Section or for referral to supportive services and shall not be released to any
21 third party, including a governmental agency unless such agency is authorized to
22 obtain such information by another provision of law.

23 §1891.8. Drug testing for certain adult customers of public assistance; legislative
24 policy; procedures

25 A. The legislature hereby reaffirms the legitimate government function of
26 promoting the safety and welfare of children and adults. The legislature declares that
27 the best interests of a significant portion of the state's population are served by
28 ensuring that they are free of the physical and mental impairments associated with
29 drug dependence. The legislature further reaffirms its compelling interest in

1 providing safeguards to eliminate the misappropriation of entitlement benefits. The
2 legislature hereby directs the secretary of Louisiana Works, in consultation with the
3 secretary of the Louisiana Department of Health and the commissioner of
4 administration, to establish a mandatory drug testing program for certain adults in
5 the Temporary Assistance for Needy Families Block Grant Program.

6 B.(1) The secretary of Louisiana Works shall cause to be instituted a
7 mandatory drug testing program for certain adult customers, to be determined by the
8 secretary, in consultation with the secretary of the Louisiana Department of Health
9 and the commissioner of administration, in the Temporary Assistance for Needy
10 Families Block Grant Program. However, no customer shall be tested if such testing
11 is prohibited by federal law. No sanction shall be imposed on an adult customer if
12 such sanction is prohibited by federal law.

13 (2) The testing program shall provide procedural safeguards to ensure the
14 protection of the constitutional rights of the program customers and provide that
15 testing shall be done by state-certified laboratories.

16 C.(1) The required drug testing program shall require a customer to complete
17 an education and rehabilitation program upon the initial identification of the
18 customer as an illegal drug user verified by a positive test result as a prerequisite to
19 continued receipt of benefits. Further, the drug testing program shall provide for the
20 suspension of participation in such entitlement program for a customer subsequently
21 identified by a verified positive test result as an illegal drug user. However, in no
22 event shall participation in such entitlement program be suspended while the
23 customer is taking part in the education and rehabilitation program or until an
24 education and rehabilitation program is available to the customer.

25 (2)(a) The secretary of Louisiana Works, in conjunction with the secretary
26 of the Louisiana Department of Health and the commissioner of administration, shall
27 provide a program of education and rehabilitation for customers so identified as
28 illegal drug users.

29 (b) The program shall include regulations governing the reentry of a

1 suspended customer into the entitlement program based on subsequent testing results
2 and completion of education and rehabilitation programs.

3 (c) The program shall also include the provision of inpatient services for any
4 customer identified as an illegal drug user if it is determined that such inpatient
5 services are necessary for successful rehabilitation.

6 D. The secretary of Louisiana Works, in consultation with the secretary of
7 the Louisiana Department of Health and the commissioner of administration, shall
8 promulgate rules and regulations to implement the provisions of this Section in
9 accordance with the Administrative Procedure Act. The rules and regulations shall
10 provide that the cost of testing customers for the presence of illegal drugs and the
11 treatment of customers pursuant to the provisions of this Section shall be borne by
12 the department or departments that grant the applicable public assistance.

13 E. The secretary of Louisiana Works shall prepare a written statistical report
14 on the program and submit the report to the legislature on or before September 1,
15 2027, and annually thereafter.

16 SUBPART F. ADMINISTRATION OF WELFARE BENEFITS PAYABLE TO
17 MENTALLY INCAPABLE INDIVIDUALS

18 §1901. Curator for receipt and administration of public assistance benefits

19 Any mentally incapable person who is entitled to public assistance or who
20 has the right to apply for public assistance but cannot make application because of
21 his incompetency and who does not have a duly appointed and qualified legal
22 representative, may have a curator appointed for him solely for the purpose of
23 representing his interest in qualifying for, receiving and administering public
24 assistance benefits. The appointment shall be made by any court of competent
25 jurisdiction, subject to the proceedings hereinafter outlined.

26 §1902. Necessity for appointment; procedure

27 The necessity for the appointment of a curator shall be initiated by any
28 relative or other interested person by petition. Upon filing of such petition, the court
29 shall order the mentally incapable person to show cause in not less than ten days nor
30 more than fifteen days why the application should not be granted. The mentally

1 incapable person shall be duly cited and served with a copy of the petition and order.

2 At the hearing the court shall require whatever proof it deems necessary or desirable;

3 and the mentally incapable person shall have the right to counsel. If the mentally

4 incapable person does not have sufficient resources to supply counsel, the court, if

5 it deems it necessary or desirable, may appoint special counsel and the person so

6 appointed shall be entitled to a fee of ten dollars in an uncontested case and twenty-

7 five dollars in a contested case, the fee to be taxed as costs against the person

8 initiating the proceedings. All proceedings, at the discretion of the court, may be

9 conducted in private chambers. The judgment or order naming a curator for a

10 mentally incapable person shall not constitute an interdiction.

11 §1903. Bond; account; oath and letters

12 A. The curator shall be accountable at whatever intervals are specified by the

13 court, and the court shall have the right to require a bond or whatever other security

14 is deemed necessary by the court to ensure the faithful performance of the curator's

15 duties. The curator, upon being appointed, shall take an oath, and any letters of

16 authority may be issued to him.

17 B. Failure by the curator to render an account satisfactory to the court shall

18 be sufficient cause for the curator's dismissal and the appointment of another curator.

19 §1904. Final discharge of curator

20 A. The curator shall be discharged from his duties for any of the following

21 reasons:

22 (1) Upon the interdiction of the incompetent person under existing law.

23 (2) Upon proper proof to the court that the mentally incapable person has

24 become sufficiently competent to administer his public assistance benefits.

25 (3) Upon the signing of an order by the court that made the original

26 appointment, upon its own motion, or otherwise, terminating the appointment of the

27 curator for any other reason.

28 B. Upon being discharged, the curator shall render a full and final accounting

29 to the court of his administration, and upon so doing, the curator shall be relieved

30 from any further responsibility, and his bond shall be cancelled, and whatever other

1 security may have been given shall be released.

2 §1905. Costs

3 The entire cost of the proceedings herein authorized shall not exceed (a) in
4 uncontested cases the sum of ten dollars, exclusive of the fee of the special counsel
5 who may be appointed and of the court reporter; (b) and in contested cases shall not
6 exceed ten dollars, exclusive of the fee of the special counsel who may be appointed
7 and of the court reporter.

8 SUBPART G. MISCELLANEOUS PROVISIONS

9 §1911. Surviving spouse of public assistance customers; retention of benefits
10 received during month of death

11 A surviving spouse of a customer is hereby authorized to receive and retain
12 any financial assistance paid by the department to or for the benefit of a customer
13 during the month of the death of the customer, whether or not the check covering
14 such assistance was actually received prior to the death of the customer.

15 §1912. Exemption of income and resources

16 The secretary of Louisiana Works is hereby authorized to adopt income and
17 resources exemption policies to the extent necessary to conform with the federal
18 Economic Opportunity Act, any social security provision, and any other laws of
19 Congress to obtain federal block grant or matching funds for the state's public
20 assistance program. Such income and resources exemption policies shall prevail in
21 the event they conflict with R.S. 23:1884.

22 §1913. Cooperation with administrative agencies relative to interchange of
23 information

24 Louisiana Works is hereby authorized to provide for interchange of such
25 information necessary in providing for work training experiences as required by
26 Public Law 90-248, as the secretary of the United States Department of Health,
27 Education and Welfare, or its successor department, may require for federal
28 matching purposes.

1 §1914. Revision of standard of need; temporary assistance for needy families;
2 general assistance

3 A. Louisiana Works and the Louisiana Department of Health shall jointly
4 revise the standard of need for the Family Independence Temporary Assistance
5 Program and the public assistance program each year, basing such standard on the
6 Annual Update of the Poverty Income Guidelines published by the United States
7 Department of Health and Human Services. The standard shall reflect the higher of
8 the southern and national averages. The departments shall cause such revised
9 standard to become effective on January first of each year.

10 B. Implementation of this provision shall be contingent on Louisiana Works
11 and the Louisiana Department of Health certifying to the commissioner of
12 administration that the revision will not increase the total state dollar expenditure for
13 the two departments.

14 §1915. Electronic authorization and distribution of public assistance benefits and
15 services

16 A. Louisiana Works shall contract for the development and implementation
17 of an electronic issuance system for the authorization and distribution of benefits and
18 services provided by public assistance programs. Such programs shall include but
19 not be limited to issuance of benefits and services of the Supplemental Nutrition
20 Assistance Program (SNAP) and the Family Independence Temporary Assistance
21 Program (FITAP), and shall require that all customers who participate in programs
22 for which benefits and services are authorized and distributed through the system
23 shall obtain benefits through the electronic issuance system, subject only to
24 exceptions as necessary for the effective functioning of the program.

25 B. The contract program selected to provide the electronic issuance system
26 shall include but not be limited to:

27 (1) An electronic reporting and inventory system that complies with federal
28 and state reporting requirements.

29 (2) Plastic cards for program clients.

30 (3) Training of department personnel.

1 (2) The public entities whose data and assistance shall be considered
 2 necessary for the system to fulfill its purpose shall include the ~~commission~~
 3 department, Louisiana Economic Development, and the Departments of Education,
 4 Elderly Affairs, Health, Public Safety and Corrections, Social Services, and Veterans
 5 Affairs, and in the governor's office, the Offices of ~~Elderly Affairs~~, Lifelong
 6 Learning, Women's Services, ~~and Workforce Development~~, and the State Board of
 7 Elementary and Secondary Education, and the Board of Regents and any other public
 8 entity that the ~~commission~~ department deems necessary.

9 Section 7. R.S. 36:3(3), 4(A)(introductory paragraph) and (6), the heading of Chapter
 10 7 of Title 36 of the Louisiana Revised Statutes of 1950, 301, 308(A) and (B), and 309 are
 11 hereby amended and reenacted to read as follows:

12 §3. Definitions

13 As used in this Title, the following terms have the following meanings unless
 14 the context clearly indicates otherwise:

15 * * *

16 (3) "Department" means a department of the executive branch of state
 17 government created or continued in this Title in accordance with the constitutional
 18 mandate contained in Article IV, Section 1 and in Article XIV, Section 6 of the
 19 Constitution of Louisiana and shall include ~~the Louisiana Workforce Commission~~
 20 Louisiana Works.

21 * * *

22 §4. Structure of executive branch of state government

23 A. In accordance with the provisions of Article IV, Section 1 and Article
 24 XIV, Section 6 of the Constitution of Louisiana, all offices, boards, commissions,
 25 agencies, and instrumentalities of the executive branch of state government, whether
 26 constitutional or statutory, and/or their functions, powers, duties, and responsibilities
 27 shall be allocated, either in the Act by which this Title was created or by legislation
 28 enacted subsequent thereto, within the departments listed in this Section, except as
 29 provided in Subsections B and C of this Section, and in order to comply with this
 30 constitutional mandate, the agencies of the executive branch of state government

1 hereinafter enumerated, whether heretofore created by the constitution or by statute,
2 ~~and/or~~ or their functions, powers, duties, and responsibilities are allocated, in the
3 manner hereinafter set forth in this Title, within the following designated
4 departments:

5 * * *

6 (6) ~~Louisiana Workforce Commission~~ Louisiana Works.

7 * * *

8 CHAPTER 7. ~~LOUISIANA WORKFORCE COMMISSION~~ LOUISIANA WORKS

9 §301. ~~Louisiana Workforce Commission~~ Louisiana Works; creation; domicile;
10 composition; purposes and functions

11 A. ~~The Louisiana Workforce Commission~~ Louisiana Works is created and
12 shall be a body corporate with the power to sue and be sued. The domicile of the
13 ~~commission department~~ shall be in Baton Rouge. ~~The Louisiana Workforce~~
14 ~~Commission~~ Louisiana Works shall be deemed to be one of the twenty departments
15 of the executive branch of state government as provided in Article IV, Section 1 of
16 the Constitution of 1974 and as provided in this Title.

17 B. ~~The Louisiana Workforce Commission~~ Louisiana Works, through its
18 offices and officers, shall administer and enforce laws and programs designed to
19 protect the economic and physical well-being of Louisiana's workforce and pursue
20 the availability of the workforce to meet the needs of the economy. The ~~commission~~
21 ~~department~~ shall coordinate and administer programs conducted by the state, or
22 jointly with federal agencies, in the area of labor-management relations, manpower
23 evaluation and training, vocational rehabilitation, independent living, blind services,
24 certain social services, disability determinations, employment, unemployment and
25 workers' compensation, job safety, and the licensing and regulation of certain types
26 of work. The ~~commission department~~ shall be responsible for delivering workforce
27 development solutions for businesses and economic sectors of the economy and
28 coordinating with other state agencies and offices for the delivery of workforce
29 development solutions as provided for in R.S. 23:1801. The ~~commission department~~
30 shall perform functions related to administration of the community services block

1 grant for which provision is initially made in the Omnibus Budget Reconciliation Act
2 of 1981.

3 C.(1) ~~The Louisiana Workforce Commission~~ Louisiana Works shall be
4 composed of the executive office of the secretary, the office of management and
5 finance, the office of workforce development, the office of unemployment insurance
6 administration, the office of workers' compensation administration, ~~the office of~~
7 ~~occupational information services~~, and such other offices as shall be created by law.
8 The Louisiana Workforce Investment Council, as more specifically provided in R.S.
9 23:2042 et seq., shall be placed within the executive office of the secretary.

10 (2) Except when changes are necessary for the efficient delivery of
11 workforce development solutions for businesses and economic sectors of the
12 economy, whenever the secretary determines that the administration of the functions
13 of the ~~commission~~ department may be more efficiently performed by eliminating,
14 merging, or consolidating existing offices or establishing new offices, the secretary
15 shall present a plan therefor to the legislature for its approval by statute.

16 * * *

17 §308. Offices; purposes and functions

18 A. The purposes for which the offices of ~~the Louisiana Workforce~~
19 ~~Commission~~ Louisiana Works are created shall be as set forth in this Section.

20 B.(1) The office of workforce development shall perform the functions of
21 the state relating to the administration, enforcement, supervision, and direction of
22 programs related to the formulation of standards and policies promoting the welfare
23 of wage-earning women; the employment of individuals with disabilities; vocational
24 rehabilitation; occupational information services; independent living; blind services;
25 customer service delivery; employment; training; minimum wage standards; welfare
26 of workers and labor disputes, including the promotion of voluntary conciliation of
27 disputes; regulation and certification of private employment agencies; minor labor
28 laws; the formulation of policy relative to labor apprenticeship; worker protection
29 programs, including medical payment; and employment security and employment
30 service field services, all in accordance with applicable laws.

1 (1) The worker's compensation medical advisory council (R.S. 23:1203.1).

2 (2) The Blind Vendors Trust Fund Board (R.S. 23:3044).

3 F. The powers, duties, functions, and responsibilities relating to certain
4 programs within the office of family support of the Department of Children and
5 Family Services, or a successor office or department, are hereby transferred to
6 Louisiana Works (R.S. 23:1821 et seq.) to be exercised and performed by the
7 secretary, in accordance with provisions of R.S. 36:851 et seq. The following
8 programs shall be transferred:

9 (1) Supplemental Nutrition Assistance Program (SNAP), including Sun
10 Bucks, disaster SNAP benefits, and employment and training programs.

11 (2) Temporary Assistance to Needy Families (TANF), including
12 employment and training programs.

13 (3) Disability determination services provided by the Department of Children
14 and Family Services, or successor department.

15 Section 8. R.S. 46:56(A), (B)(1), and (L), 107(A)(1), 231.4(A), (D), and (F)(2),
16 352(1)(a) and (b) and (2)(a), 932(12), and 936 are hereby amended and reenacted and R.S.
17 46:107(E) is enacted to read as follows:

18 §56. Applications and client case records; definitions; confidentiality; waiver;
19 penalty

20 A. Applications for assistance and information contained in case records of
21 clients of the Louisiana Department of Health, the Department of Children and
22 Family Services, Louisiana Works, or the office of elderly affairs, for the purpose
23 of adult protective services, shall be confidential and, except as otherwise provided,
24 it shall be unlawful for any person to solicit, disclose, receive, make use of, or to
25 authorize, knowingly permit, participate in, or acquiesce in the use of applications
26 or client case records or the information contained therein for any purpose not
27 directly connected with the administration of the programs of the department.

28 B.(1)(a) For the purposes of this Section, "department" means the Louisiana
29 Department of Health, the Department of Children and Family Services, and the
30 adult protection agency as provided in R.S. 15:1503.

1 the United States of America and the state of Louisiana.

2 * * *

3 §107. Appeal and review; venue for judicial review

4 A.(1) The Department of Children and Family Services, Louisiana Works,
5 and the office of the secretary of the Louisiana Department of Health, through their
6 respective appeal sections, shall provide for a system of hearings and are responsible
7 for fulfillment of all hearing provisions as prescribed under Title I, IV-A, X, XIV,
8 XVI, XIX, or XX of the Social Security Act and under the Food Stamp Act, Public
9 Law 91-671. Under these provisions, an opportunity for a hearing shall be granted
10 at the state level to any applicant, ~~or recipient,~~ or customer who makes a timely
11 request for a hearing because his claim for assistance, services, or nutrition
12 assistance benefits is denied or is not acted upon with reasonable promptness and to
13 any recipient who is aggrieved by an agency action resulting in suspension,
14 reduction, discontinuance, or termination of benefits.

15 * * *

16 E. For purposes of this Section, "customer" means an applicant or recipient
17 of public assistance benefits and services that fall within the purview of Louisiana
18 Works.

19 * * *

20 §231.4. Immunization compliance; exceptions

21 A. The secretary of ~~the Department of Children and Family Services~~
22 Louisiana Works and the secretary of the Louisiana Department of Health shall
23 require each recipient or customer of public assistance of the programs described
24 herein or his parent or guardian to present to the appropriate local agency issuing the
25 public assistance sufficient evidence of immunity or immunization against vaccine-
26 preventable diseases according to a schedule promulgated by rule by the office of
27 public health of the Louisiana Department of Health. Sufficient evidence that such
28 an immunization program is in progress may be substituted for proof of immunity
29 or immunization.

30 * * *

1 §932. Powers and duties

2 The office shall have the following powers and duties:

3 * * *

4 (12) To administer all federal funds appropriated, allocated, or otherwise
5 made available to the state for services to the elderly, whether by block grant or in
6 any other form, with the exception of funds for programs administered by the
7 Department of Children and Family Services or the Louisiana Department of Health,
8 on August 15, 1995 or Louisiana Works on July 1, 2027, and to distribute those
9 funds in accordance with and consistent with R.S. 46:936.

10 * * *

11 §936. Statement of intent

12 A. It is the intention of the legislature that, insofar as is practical and
13 consistent with the efficient administration of state government, programs and
14 services for the elderly population of Louisiana, with the exception of any program
15 administered by the Department of Children and Family Services or the Louisiana
16 Department of Health on August 15, 1995 or Louisiana Works on July 1, 2027, shall
17 eventually be consolidated within the office of elderly affairs, to be administered at
18 the local level by the sixty-four parish voluntary councils on aging.

19 B. It is further the intention of the legislature that the ~~Office of Elderly~~
20 ~~Affairs~~ office of elderly affairs administer all federal funds appropriated, allocated,
21 or otherwise made available to the state for services to the elderly, whether by block
22 grant or in any other form, with the exception of funds for programs administered by
23 the Department of Children and Family Services or the Louisiana Department of
24 Health on August 15, 1995 or Louisiana Works on July 1, 2027. The office of
25 elderly affairs shall distribute such funds in accordance with appropriate state and
26 federal requirements and consistent with this Section.

27 * * *

28 Section 9. R.S. 46:936 is hereby amended and reenacted to read as follows:

29 §936. Statement of intent

30 A. It is the intention of the legislature that, insofar as is practical and

1 consistent with the efficient administration of state government, programs and
2 services for the elderly population of Louisiana, with the exception of any program
3 administered by the Department of Children and Family Services or the Louisiana
4 Department of Health on August 15, 1995 or Louisiana Works on July 1, 2027, shall
5 eventually be consolidated within the ~~office of elderly affairs~~ Department of Elderly
6 Affairs, to be administered at the local level by the sixty-four parish voluntary
7 councils on aging.

8 B. It is further the intention of the legislature that the ~~Office of Elderly~~
9 ~~Affairs~~ office of elderly affairs administer all federal funds appropriated, allocated,
10 or otherwise made available to the state for services to the elderly, whether by block
11 grant or in any other form, with the exception of funds for programs administered by
12 the Department of Children and Family Services or the Louisiana Department of
13 Health on August 15, 1995 or Louisiana Works on July 1, 2027. The ~~office of~~
14 ~~elderly affairs~~ Department of Elderly Affairs shall distribute such funds in
15 accordance with appropriate state and federal requirements and consistent with this
16 Section.

17 Section 10. R.S. 49:191(1)(f) and 1402(1)(d) are hereby amended and reenacted to
18 read as follows:

19 §191. Termination of legislative authority for existence of statutory entities; phase-
20 out period for statutory entities; table of dates

21 Notwithstanding any termination dates set by any previous Act of the
22 legislature, the statutory entities set forth in this Section shall begin to terminate their
23 operations on July first of each of the following years, and all legislative authority
24 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of
25 July first of the following year, which shall be the termination date:

26 (1) July 1, 2026:

27 * * *

28 (f) ~~The Louisiana Workforce Commission~~ Louisiana Works and all statutory
29 entities made a part of the department by law.

30 * * *

1 §1402. Definition of terms

2 As used in this Chapter, the following terms have the meanings ascribed to
3 them in this Section unless otherwise clearly indicated by context:

4 (1) "Agency" means any of the following state departments:

5 * * *

6 (d) ~~Louisiana Workforce Commission~~ Louisiana Works.

7 * * *

8 Section 11. R.S. 23:18, 34, R.S. 36:308(E), R.S. 46:18, 101, 102, 102.1, 103 through
9 106, 108, 111 through 113, 114.1, 114.3, 114.4, 115, 116, 230.1, 231, 231.1 through 231.3,
10 231.5, 231.6, 231.12 through 231.14, 232, 233, 233.3, 234, 234.2, 235, 236, 237, Subpart E-
11 2 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised
12 of R.S. 46:301, Subpart E-4 of Part II of Chapter 3 of Title 46 of the Louisiana Revised
13 Statutes of 1950, comprised of R.S. 46:321 through 328, Subpart E-5 of Part II of Chapter
14 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:331 and 332,
15 Part VI of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S.
16 46:431 through 435, 441, 444, 447, 450.1, and Part IX of Chapter 3 of Title 46 of the
17 Louisiana Revised Statutes of 1950, comprised of R.S.46:460.1 and 460.3 through 460.10
18 and R.S.49:1402(1)(a) are hereby repealed in their entirety.

19 Section 12. The Louisiana State Law Institute is hereby authorized and requested to
20 change all references in the Louisiana Revised Statutes of 1950 to the Louisiana Workforce
21 Commission, whether referred to as the "Louisiana Workforce Commission" or
22 "commission", to Louisiana Works or department where appropriate. The Louisiana State
23 Law Institute is hereby further authorized and requested to change all references to the
24 executive director of the Louisiana Workforce Commission, whether referred to as
25 "executive director of the Louisiana Workforce Commission", "executive director of the
26 commission", "executive of the department", or "executive director", to "secretary".

27 Section 13. The administrative rules contained in the Louisiana Administrative Code
28 promulgated by the Department of Children and Family Services, or a successor department,
29 which govern or are applicable to the programs and operations transferred from the
30 Department of Children and Family Services, or a successor department, to Louisiana Works

1 by this Act shall continue to be effective, and the office of state register shall change all
2 applicable references to the Department of Children and Family Services, or a successor
3 department, to Louisiana Works and redesignate and renumber, as needed, all applicable
4 provisions as are necessary to maintain continuity in the Louisiana Administrative Code.

5 Section 14. All monies held in the state treasury for the Fraud Detection Fund on
6 the effective date of this Act, shall upon that date, be transferred to Louisiana Works.

7 Section 15. All Department of Children and Family Services, or a successor
8 department, contracts for the programs and activities transferred to Louisiana Works by this
9 Act shall be deemed to have been transferred and assigned to Louisiana Works upon the
10 effective date of this Act without the necessity of contractual amendment, and Louisiana
11 Works shall be solely responsible for all related obligations and liabilities arising on or after
12 that effective date.

13 Section 16.(A) In order to ensure continuity of services during the transition period,
14 all Department of Children and Family Services, or a successor department, contracts related
15 to the operation and administration of the programs transferred to Louisiana Works shall be
16 deemed to have been transferred and assigned to Louisiana Works upon the effective date
17 of this Act without the necessity of contractual amendment, and Louisiana Works shall be
18 solely responsible for all related obligations and liabilities arising on or after that effective
19 date.

20 (B) In order to ensure continuity of services during the transition period, any
21 pending or unfinished business of the programs being transferred over shall be taken over
22 and completed by Louisiana Works with the same power and authorization as that of the
23 Department of Children and Family Services, or a successor department.

24 Section 17.(A) All employees engaged in the performance of duties relating to the
25 functions of the programs and services transferred from the Department of Children and
26 Family Services, or a successor department, to Louisiana Works are hereby transferred to
27 Louisiana Works to carry out the functions of Louisiana Works and its programs and
28 services and shall continue to perform their duties, subject to applicable state civil service
29 laws, rules, and regulations. Subject to such laws, positions in the unclassified service shall
30 remain in the unclassified service. Upon the transfer of employees to a board, such

1 employees shall immediately have the ability to payroll deduct or direct deposit their payroll
2 earnings in favor of any credit union of which they were members prior to the transfer.

3 (B) The Department of State Civil Service shall assist the Department of Children
4 and Family Services, or a successor department, and Louisiana Works in all human resource
5 activities deemed necessary to make such a transfer. All human resource activities shall
6 include, but are not limited to the transfer of personnel files and other related confidential
7 documents, position descriptions, retirement benefits, and related benefits, including but not
8 limited to those offered by the Office of Group Benefits.

9 Section 18. In order to ensure continuity of services, Louisiana Works shall provide
10 adequate funding from the Temporary Assistance to Needy Families (TANF) program to the
11 Department of Children and Family Services, or a successor department, to run the child
12 protection and child welfare services as set forth in an interagency agreement. The amount
13 and schedule of funding transfers shall be determined based on the agreement between the
14 secretaries of Louisiana Works and the Department of Children and Family Services, or a
15 successor department. Both departments agree to work collaboratively to ensure that
16 adequate financial resources are provided annually. In the event that the secretaries are
17 unable to reach an agreement regarding the funding provisions, either department may
18 request a resolution by the commissioner of administration. The commissioner shall
19 convene a meeting between the secretaries and make a final determination on the proposed
20 allocation of funding to be included in the annual proposed operating budget.

21 Section 19. The provisions of R.S. 23:73(E)(2) as amended and reenacted in Section
22 6 of this Act shall supersede the provisions of R.S. 23:73(E)(2) as amended and reenacted
23 in Section 1 of Act No. 384 of the 2013 Regular Session of the Legislature when Section 1
24 of Act No. 384 of the 2013 Regular Session of the Legislature becomes effective.

25 Section 20. The provisions of R.S. 46:936 as amended and reenacted in Section 9
26 of this Act shall supersede the provisions of R.S. 46:936 as amended and reenacted in
27 Section 5 of Act No. 384 of the 2013 Regular Session of the Legislature when Section 5 of
28 Act No. 384 of the 2013 Regular Session of the Legislature becomes effective.

29 Section 21.(A) Beginning July 1, 2025, the workforce development programs
30 currently administered by the Department of Children and Family Services, or a successor

1 department, shall be transferred to and administered by the Louisiana Workforce
2 Commission, or its successors. The workforce program includes those consolidated under
3 Skills Employment and Training, or "SET for Success", or successor programs, the Child
4 Support Enforcement Employment and Training Program, or a successor program, the
5 Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program,
6 or a successor program, and the Strategies to Empower People (STEP) Program, or a
7 successor program.

8 (B) All employees of the Department of Children and Family Services, or a
9 successor department, whose duties involve the administration or implementation of the
10 programs provided for in Subsection A of this Section shall be transferred to the Louisiana
11 Workforce Commission, or its successors, in accordance with applicable civil service laws
12 and regulations.

13 (C) The Department of Children and Family Services, or a successor department,
14 and the Louisiana Workforce Commission, or its successors, shall execute an interagency
15 agreement to ensure the continued funding of these programs in a manner consistent with
16 each program's current funding sources and mechanisms. The agreement shall provide for
17 the allocation of resources, personnel, and administrative support necessary to maintain
18 uninterrupted program operations. The Louisiana Workforce Commission, or its successors,
19 shall provide a monthly report and invoice to the Department of Children and Family
20 Services, or a successor department, which shall be paid within thirty days of receipt, and
21 provided in a format prescribed by the Department of Children and Family Services, or a
22 successor department, for an interagency transfer of funding to the Louisiana Workforce
23 Commission, or its successors.

24 (D) The secretaries of the Department of Children and Family Services, or a
25 successor department, and the Louisiana Workforce Commission, or its successor, or their
26 respective designees, shall take all actions necessary to implement the provisions of this
27 Section and promulgate any rules and regulations in accordance with the Administrative
28 Procedure Act.

29 Section 22.(A) Beginning July 1, 2026, the Disability Determination Services (DDS)
30 program currently administered by the Department of Children and Family Services, or a

1 successor department, shall be transferred to and administered by the Louisiana Workforce
2 Commission, or its successors.

3 (B) All employees of the Department of Children and Family Services, or a
4 successor department, whose duties involve the administration or implementation of the
5 DDS program shall be transferred to the Louisiana Workforce Commission, or its
6 successors, in accordance with applicable civil service laws and regulations.

7 (C) Upon transfer, the Louisiana Workforce Commission, or its successors, shall be
8 the direct recipient of all federal funding for the DDS program from the Social Security
9 Administration.

10 Section 23. To further improve the financial situation of the state and to more
11 efficiently and effectively provide services to the citizens of this state, Louisiana Works shall
12 reduce at least forty employees from its July 1, 2024, employee count through natural
13 attrition no later than July 1, 2027.

14 Section 24.(A) This Section, Section 21, and the provisions of R.S. 23:1600(2) and
15 (3)(a) as amended and reenacted in Section 5 of this Act shall become effective on July 1,
16 2025.

17 (B) The provisions of Sections 6, 9, 19, and 20 of this Act shall become effective
18 when Act No. 384 of the 2013 Regular Session of the Legislature becomes effective.

19 (C) Section 22 of this Act shall become effective July 1, 2026.

20 (D) Sections 1 through 4, 7, 8, 10 through 18, and 23 of this Act shall become
21 effective July 1, 2027, or when no more than one million dollars in additional recurring state
22 general funds is necessary to implement the provisions of this Act, whichever occurs later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 624 Engrossed

2025 Regular Session

Berault

Abstract: Transfers family and support programs, such as SNAP and TANF, from DCFS to LWC and renames the Louisiana Workforce Commission (LWC) to Louisiana Works.

Proposed law makes relative changes in statutory provisions where programs and services

administered by DCFS are referenced through provisions of present law and changes such references to La. Works.

Title 23 Provisions

Present law provides that LWC is hereby created and established to operate an integrated workforce development delivery system in this state, in particular through the integration of job training, employment and employment-related education and training programs, vocational rehabilitation services, independent living services, and blind services program, and to administer the state's unemployment and workers' compensation programs.

Proposed law extends the areas of expertise operated by LWC to include social service eligibility determinations, benefit payments, disability determinations, and supplemental nutrition and certain family support programs. Proposed law otherwise retains present law.

Present law defines "commission", "council", and "secretary".

Proposed law removes the definition for "commission" and adds definitions for "customer", "department", "SNAP", and "TANF". Proposed law otherwise retains present law.

Proposed law provides that the legislature recognizes that LWC provides services to support individuals with various needs and in various stages of life.

Proposed law provides that, despite this, the conventional service delivery system of requiring individuals to access various offices within the state creates a barrier for the delivery of those services and entry into the workforce. Proposed law further provides that these barriers can be resolved and individuals' needs can be met by utilizing an integrated case management at a single service location with a single case worker.

Proposed law defines "integrated case management", "integrated service plan", and "service integration".

Present law enumerates the powers and duties which may be conferred upon the secretary by law.

Proposed law adds to this enumerated list the following powers and duties which may be completed by the secretary:

- (1) Administer and supervise all forms of public assistance, including assistance to needy families, supplemental nutrition benefits to individuals in need, and any other public assistance activities or services that may be or may later be within the department's purview.
- (2) Promulgate all necessary rules and regulations for the purposes of carrying out provisions of law relative to public assistance.
- (3) Oversee the organization and supervision of field offices, by providing any necessary services, materials, or additional assistance and personnel needed to the offices in order to ensure effective administration of public assistance functions; and to designate such offices to serve as its agents in the administration of public assistance activities in its respective parishes.
- (4) Employ additional personnel as necessary in order to establish a sufficient number of audit teams for the purpose of investigating public assistance customers whose initial eligibility or continued eligibility is difficult to determine.
- (5) Assist other departments, agencies, and institutions of the state or federal government, when so requested, by performing services in conformity with the purposes of present law and proposed law.

- (6) Act as an agent of the state for the purpose of cooperating with the federal government in public assistance matters of mutual concern and in the administration of any federal funds granted in the state to aid in the furtherance of any functions of the department, and be empowered to meet such federal standards established for the administration of federal funds.
- (7) Administer any federal, state, parish, municipal, or private funds made available for public assistance.
- (8) Administer all public assistance funds in the purview of the department, estimate the moneys to be credited to the assistance funds from state and federal sources for the ensuing fiscal year, and allocate the total amount estimated to be available.
- (9) Establish adequate standards for personnel employed in state, regional, or field offices and make necessary rules and regulations in order to maintain minimum standards of service and personnel based upon education, training, previous experience, and general efficiency, which shall be attained by the person appointed to the position.
- (10) Whenever and wherever practicable, enter into reciprocal agreements with public assistance agencies from other states relative to the provisions of public assistance to residents and nonresidents and cooperate with other states and with any authorized agencies of the federal government in providing aid, provided such agreements are approved by the attorney general.
- (11) Submit to the legislature an annual financial statement accounting for all funds appropriated by the department and for public assistance purposes in its purview, including specific purposes for which they are appropriated and a financial statement accounting for all federal funds allotted to the state by the federal government.

Proposed law changes "LWC" to "La. Works", "commission" to "department", and "executive director" to "secretary" when applicable, in addition to requesting the Louisiana Law Institute to change all references of the aforementioned within the Louisiana Revised Statutes.

Present law provides for the integration of services, such as job-training, employment, vocational rehabilitation services, independent living and blind services programs, and employment-related educational programs and functions to be integrated into the workforce development delivery system.

Proposed law amends present law to include social service programs that provide economic stability to unemployed and underemployed individuals to be integrated with the aforementioned programs and services. Proposed law otherwise retains present law.

Present law requires the secretary of LWC to transfer monies, which, if any, are appropriated by the legislature to conduct a workforce facility condition assessment, service market data study or location analysis, and master plan, to the La. Community and Technical College System for the purpose of conducting the aforementioned assessment, analysis, or master plan.

Proposed law revises present law to instead provide that the secretary may contract with any state agency, higher education provider, or any private provider, subject to state procurement rules and regulations, to conduct a workforce economic assessment, if funds are appropriated for that purpose.

Present law requires LWC to provide appropriated local workforce development areas funds for the purpose of workforce training and employment services. Present law further provides that administrative costs may not exceed 10% of the total amount of funds available to LWC for federal grants for the purpose of carrying out local workforce development activities,

unless authorized by any other law, regulation, or waiver.

Proposed law repeals present law and instead requires the department, in consultation with the Workforce Investment Council or local workforce development boards, to develop a comprehensive statewide workforce and social services plan that aligns with federal law. Proposed law requires the plan to include, but not be limited to the following:

- (1) A projected analysis of the workforce needs of employers and customers.
- (2) A projected analysis of the social service needs of customers.
- (3) Policy standards in programs and processes to ensure statewide program consistency among regional service areas.
- (4) State outcome-based standards for measuring program performance to evaluate quality standards of performance, program efficacy, program viability, and prompt service to all customers.
- (5) State oversight systems to review local workforce development board compliance with state policies.
- (6) Elements or regional workforce services plans that relate to statewide initiatives and programs.
- (7) Strategies to ensure program responsiveness, universal access, and unified case management.
- (8) Strategies to provide assistance to employees and employers facing employment discrimination.

Present law prohibits federal grant funding from applying to programs for which governing laws or regulations do not permit the use of such funding, or to programs for which the use of funding is not feasible, as determined by the secretary.

Proposed law repeals present law.

Present law provides that in the case of funds that are allocated to this state or regions of this state through the application of established formulas, the commission shall allocate amounts across the state using the same formula that was used to provide the funds to the state or that region unless an alternate formula is authorized by federal law or any other law.

Proposed law repeals present law.

Present law provides in each area of the state not designated as a local workforce development area or that is designated but the local workforce development board is not certified and a regional and local plan approved by the governor, the secretary shall do each of the following:

- (1) Provide workforce training and services in that area to the extent allowed by federal law.
- (2) Specify an entity, which may be the commission, for the performance of employment services in that area.

Proposed law repeals present law.

Present law provides that, unless required by federal law or superseded by other state or federal law, at least 85% of the funds be allocated to LWC for adult and youth workforce training and services and at least 60% of funds be allocated to the local workforce

development board, or appropriate development board, in that area for dislocated worker training and services.

Proposed law repeals present law.

Present law provides that, if a local workforce development board has been certified and a local plan approved by the governor, the funds shall be provided through the formula allocation process provided for in present law. Present law further provides that, unless superseded by federal law, regulation, or waiver, the total administrative costs for local workforce training and services may not exceed 10% of the funds allocated under present law, regardless of whether the training and services are provided through a local workforce development board or through LWC or other entity specified pursuant to present law.

Proposed law repeals present law.

Social Services Programs

Proposed law transfers SNAP, and its ancillary programs and services, and TANF, and its ancillary programs and services, that are administered and operated by DCFS to La. Works.

Proposed law makes necessary technical corrections for the programs and services being transferred.

Proposed law provides there shall be in each parish of the state a field office of the department. Proposed law also provides that the department may unite two or more parishes and form a district office.

Proposed law requires the parish and district offices to administer all forms of public assistance within the department's purview.

Proposed law requires a healthcare provider to furnish to a claimant, the person appointed to represent the claimant in his dealings with the Social Security Administration, or an agent with written authorization as provided by federal law, a copy of any records that are necessary to support his filing for social security disability benefits or supplemental security income benefits.

Proposed law provides that, if a copy of the record is not provided within a reasonable period of time, not to exceed 15 days following the receipt of the request and written authorization, and production of the record is obtained through a court order or subpoena duces tecum, the healthcare provider will be liable for any reasonable attorney fees and expenses incurred in obtaining a court order or subpoena duces tecum.

Proposed law further clarifies that the aforementioned sanctions will not be imposed unless the person requesting the copy of the record has, by certified mail, notified the healthcare provider of his failure to comply with the original request by referring to the sanctions available, and the healthcare provider fails to furnish the requested copies within five days from receipt of the notice.

Proposed law prohibits the department from destroying all fiscal records relating to public assistance, until the proper state and federal agencies have completed their respective audits and have approved the destruction of the records.

Proposed law requires the department to preserve all the aforementioned records for three years or until all useful purposes have been served, whichever is longer.

Proposed law allows any state agency, with the approval of the division of administration, to transfer funds to the department, any portion of its appropriation that may be available for federal matching funds in accordance with any public assistance program within the department. Proposed law provides that the aforementioned funds will be deposited in a

special account in the state treasury and provides what the funds should be utilized for.

Proposed law requires all applications for assistance to be in writing and in the manner designated and upon the form prescribed by the department.

Proposed law requires a field office, when an application for assistance is received, to promptly be made of the circumstances of the customer. Proposed law further provides that the object of the investigation shall be to ascertain the facts supporting the application and any other information required by the rules and regulations of the department.

Proposed law provides that, upon the completion of the investigation, the department shall decide whether the customer is eligible for assistance and determine the amount and the date on which assistance will begin. Proposed law requires the department to notify the applicant of its decision in writing.

Proposed law provides that all grants of assistance shall be mailed so as to reasonably assure the grants will be received on the date due. Proposed law provides that, if the due date falls on a weekend or a holiday, the grant shall be mailed so as to reasonably assure its receipt on the last regular banking date immediately preceding the due date.

Proposed law prohibits a person from obtaining or attempting to obtain assistance from the department by means of any false statement, misrepresentation, or other fraudulent device.

Proposed law provides that, to encourage the reporting of incidents of public assistance fraud, the department, through its fraud detection section, shall provide a statewide, toll-free telephone service, known as the Public Assistance Fraud Hot-Line, when sufficient funds are made available by the legislature for such purpose, or when funds are available from any other source.

Proposed law provides that any person who obtains or attempts to obtain or aids and abets anyone to obtain assistance from the department by means of any false statement, misrepresentation, or other fraudulent device or violates the provisions of proposed law (R.S. 23:1837) shall be guilty of theft.

Proposed law requires the department to establish, maintain, and provide for fraud detection functions in order to detect fraud in obtaining public assistance through staff in each region of the state. Proposed law further requires each fraud detection unit to report each incident of public assistance fraud to the fraud detection section on a monthly basis by the 10th day of each succeeding month.

Proposed law requires an annual report of activities of all fraud detection units within a state fiscal year to be submitted by the fraud detection section to the Senate and House committees on labor and industrial relations by September 1st.

Proposed law provides for the Fraud Detection Fund, which shall be a special fund created in the state treasury.

Proposed law requires all monies recovered through fraud detection to be deposited into the state treasury after reimbursement of the federal funding agency's share. Proposed law further provide the amounts of monies to be credited to the Fraud Detection Fund.

Proposed law provides that all unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund to the credit of the department.

SNAP Nutrition Education

Proposed law provides the legislative intent of the Supplemental Nutrition Assistance Program (SNAP), and provides that SNAP is the cornerstone of the federal food assistance programs and provides crucial support to needy households and to those making the

transition from public assistance to work.

Proposed law provides that federal regulations allow states to administer educational services within SNAP. Proposed law further provides that these services are known as SNAP Education, and are designed to teach food budgeting, proper nutrition, and healthy food choices to SNAP customers.

Proposed law requires the department to provide printed nutrition education resource materials directly to the heads of all SNAP beneficiary households. Proposed law further provides that the department may develop or utilize materials at its discretion in order to satisfy the provisions of proposed law, provided that the materials include the Core Nutrition Messages, or any successor resources, developed by FNS.

Proposed law requires the department to provide the aforementioned materials to every head of a SNAP beneficiary household at the following intervals:

- (1) At the first issuance of a SNAP electronic benefits transfer card subsequent to the initial determination of eligibility.
- (2) In the first correspondence from the department subsequent to a redetermination of eligibility.
- (3) Any interval which the department deems advantageous and feasible.

Proposed law requires the department, on or before March 1st annually, to submit to the House and Senate committees on labor and industrial relations a comprehensive report on the SNAP Education program. Proposed law further requires the report to include, but not be limited to the following items:

- (1) Analysis and commentary on major health challenges faced by low-income Louisiana families.
- (2) Data on SNAP Education customers, including a description of the ideal target population, actual number of customers served, geographic distribution of customers, and customers demographics.
- (3) A description of program operations, including details on the selection of customers, service delivery, and activities conducted by all SNAP Education program contractors and subcontractors.
- (4) A description of any partnership with the WIC Program and efforts undertaken in collaboration with that program.
- (5) Analysis of program outcomes and other significant impacts to SNAP Education service customers.
- (6) Public policy recommendations for enhancing the SNAP Education program and for supporting better health and nutrition generally among low-income families of this state.

SNAP Workforce Training And Education Program

Proposed law defines ABAWD, customer, department, FNS, program, and SNAP.

Proposed law provides that the goals of the SNAP workforce training and education program, herein referred to as "the program", are as follows:

- (1) To provide incentives that are demonstrably effective in helping SNAP beneficiaries achieve financial self-sufficiency.

- (2) To connect employers to job candidates who possess requisite skills so that workforce needs, especially for in-demand occupations, are readily met.
- (3) To provide support to SNAP customers who choose to further their education.
- (4) To yield a model for incentivizing training and education for public assistance customers that can be replicated throughout the state.

Proposed law provides that a workforce training and education program is hereby created within SNAP for the purpose of improving employment opportunities for nonworking SNAP customers and enhancing workforce readiness. Proposed law further provides that the aforementioned program will be administered by La. Works.

Proposed law requires the department to establish the program in a parish with a population of more than 100,000 and less than 150,000, according to the latest federal decennial census, and in a parish where a public four-year college or university is located.

Proposed law provides that the program shall be exclusively composed of all ABAWDs residing in the parish who are not exempted by any federal or state policy, other than through a waiver of such a policy, from the limitation on SNAP benefits.

Proposed law requires each customer in the program to do all of the following:

- (1) At the time of redetermination of eligibility for SNAP benefits, provide to the department all requested documentation of participation in a workforce training or education program.
- (2) Comply with all other requirements for receipt of SNAP benefits as set forth by the department.

Proposed law requires the department to submit to FNS applications for any waiver, exemption, or formal authorization and any state plan amendment necessary to implement the program provided for in proposed law. Proposed law further requires the submissions to provide all of the following:

- (1) Reinstatement in the parish in which the program is established of the limit on receipt of SNAP benefits of three months in a three-year period for ABAWDs.
- (2) Establishment of benefit extensions in six-month increments for customers who meet workforce training or education requirements of the program.
- (3) Any other functions necessary for the department to establish and operate the program in a manner which conforms with applicable federal and state laws and regulations.

Proposed law requires the department to enter into any cooperative endeavor agreements, contracts, and other arrangements with any other government agency or any community partner as necessary to ensure adequate availability of workforce training to customers in the parish where the program is established.

Proposed law requires the department to institute all departmental policies and procedures necessary to ensure that the process for SNAP benefits eligibility redetermination in the parish where the program is established meets all of the following requirements:

- (1) Eligibility redetermination for each customer occurs no less frequently than once every six months.
- (2) Eligibility redetermination for each customer shall include a procedure for collecting and verifying documentation from the customer of his engagement in a workforce

training or education activity as provided in proposed law (R.S. 23:1864).

Proposed law requires the department to transmit to the members of the House and Senate committees on labor and industrial relations a written notice that addresses the purpose and function of the program. Proposed law allows the department to transmit the notice by e-mail.

Proposed law requires the department to submit, annually, a written report providing a summary and evaluation of outcomes of the program to the House and Senate committees on labor and industrial relations. Proposed law allows the department to include the report with its submission of any other report pertaining to SNAP.

Temporary Assistance for Needy Families

Proposed law defines adult paraphernalia store, amusement attraction, amusement ride, applicant, automated teller machine, bail, bar, cash assistance, commercial body art facility, cruise ship, customer, department, dependent child, electronic benefits transfer transaction, Family Independence Temporary Assistance Program (FITAP), Family Success Agreement, Federal Welfare Reform Act, gaming establishment, jewelry, liquor store, nail salon, point-of-sale terminal, psychic, secretary, sexually oriented business, state plan, Strategies to Empower People (STEP), Temporary Assistance for Needy Families (TANF), and work-eligible.

Proposed law provides that the state public assistance program shall consist of a cash assistance program, FITAP, and an education, employment, training, and related services program for work-eligible families, STEP, and TANF-funded initiatives.

Proposed law provides that the state public assistance programs funded with federal TANF funds shall include all the requirements and prohibitions of federal law.

Proposed law requires the department to develop and administer FITAP and, through the program, provide money payments to the following:

- (1) On behalf of a dependent child.
- (2) On behalf of a pregnant woman, if medically verified that the woman is in the sixth month of pregnancy and if the unborn child would be eligible for family independence temporary assistance, had the child been born and living with her during the month of payment.

Proposed law provides that FITAP assistance shall include money payments to meet the needs of a dependent child, including payments to meet the needs of the father, mother, stepfather, stepmother, or other relative or the relative's spouse with whom the child is living, and the needs of any other individual living in the same home if such needs are taken into account in making the determination of eligibility.

Proposed law provides a list of places where a customer shall not use FITAP benefits.

Proposed law requires the department to develop and implement STEP as the employment program for work-eligible customers of cash assistance in accordance with the provisions of federal law. Proposed law further requires the department to identify and coordinate employment services for the program.

Proposed law requires a work-eligible applicant to fulfill each requirement provided for in his Family Success Agreement and participate in the employment program as provided for in proposed law (R.S. 23:1882.6(A)), in order receive cash assistance.

Proposed law requires the department to provide written notice of the program expectations and customer responsibilities to the customer before the customer receives their cash

assistance.

Proposed law provides for the establishment of a Kinship Care Subsidy Program in La. Works, for the purpose of assisting eligible kinship caregivers, including grandparents, step-grandparents, or other adult relatives within the fifth degree who have legal custody or guardianship of their minor relatives.

Proposed law defines customer, kinship caregiver, and minor relative.

Proposed law provides that in order to be eligible for a subsidy under the Kinship Care Subsidy Program, a kinship caregiver must meet the following requirements:

- (1) Possess or obtain, within one year of enrolling in the program, legal custody or guardianship of a minor relative who is living in his home.
- (2) Have an annual income of less than 150% of the federal poverty threshold, in accordance with the size of the family applying for the subsidy.
- (3) Apply for benefits through the FITAP.
- (4) Have neither of the minor relative's parents residing in the customer's household.
- (5) Agree to pursue the enforcement of child support obligations against the parents of the minor relative with the assistance of the Dept. of Children and Family Services (DCFS) in accordance with applicable law.

Proposed law provides that the subsidy shall be administered by the department and funded through the TANF block grant.

Proposed law provides a list of places where a customer shall not use Kinship Care Subsidy Program benefits.

Title 36 Provisions

Present law provides that the office of occupational information services shall perform the functions of the state relative to data processing and the development, analysis, and dissemination of labor market and occupational information, including but not limited to training and forecasting data.

Proposed law repeals the office of occupational information services and instead provides that the office of workforce development, in addition to functions already distributed to it by present law, shall perform the aforementioned functions.

Proposed law provides that the powers, duties, functions, and responsibilities relating to certain programs within the office of family support of DCFS, or a successor office or department, are hereby transferred to La. Works:

- (1) SNAP, including Sun Bucks, disaster SNAP benefits, and employment and training programs.
- (2) TANF, including employment and training programs.
- (3) Disability determination services provided by DCFS, or a successor department.

Title 46 Provisions

Present law provides that applications for assistance and information contained in case records of clients of the Louisiana Department of Health (LDH), DCFS, or the office of elderly affairs, for the purpose of adult protective services, shall be confidential.

Proposed law retains present law.

Present law prohibits, except as otherwise provided, any person from soliciting, disclosing, receiving, making use of, or authorizing, knowingly permitting, participating in, or acquiescing in the use of applications or client case records, or any information contained in either, for any purpose not directly connected with the administration of the programs of the department.

Proposed law retains present law.

Present law provides that for purposes of present law (R.S. 46:56), department means LDH, DCFS, and the adult protection agency provided for in present law (R.S. 15:1503).

Proposed law extends the definition to provide that references to a department that administers SNAP or a successor program, nutrition, TANF or a successor program, or any other public assistance program administered by La. Works shall be applicable to La. Works.

Present law provides that it is the express intent that LDH, DCFS, and, for the purpose of adult protective services, the office of elderly affairs share access to each other's case records to the extent that such access is not prohibited by federal law or regulation.

Proposed law adds La. Works to the aforementioned provision and otherwise retains present law.

Present law provides that DCFS and the office of the secretary of LDH, through their respective appeal sections, shall provide for a system of hearings and are responsible for fulfillment of all hearing provisions as prescribed under federal laws and regulations.

Proposed law adds La. Works to the aforementioned provision and otherwise retains present law.

Proposed law changes "LWC" to "La. Works" and "commission" to "department" when applicable, in addition to requesting the Louisiana Law Institute to change all references of the aforementioned within the Louisiana Revised Statutes.

Proposed law makes necessary technical corrections.

Proposed law provides that the administrative rules contained in the La. Administrative Code promulgated by DCFS, or a successor department, which govern or are applicable to the programs and operations transferred from DCFS, or a successor department, to the La. Works shall continue to be effective and the office of state register shall change all applicable references to DCFS, or a successor department, to La. Works and redesignate and renumber all applicable provisions as is necessary to maintain continuity in the La. Administrative Code.

Proposed law provides that all DCFS, or a successor department, contracts for the programs and activities transferred to the La. Works shall be deemed to have been transferred and assigned to the La. Works upon the effective date of proposed law without the necessity of contractual amendment, and the La. Works shall be solely responsible for all related obligations and liabilities arising on or after that date.

Proposed law provides that all DCFS, or a successor department, contracts related to the operation and administration of the programs transferred to La. Works shall be deemed to have been transferred and assigned to La. Works upon the effective date of proposed law without the necessity of contractual amendment, and La. Works shall be solely responsible for all related obligations and liabilities arising on or after that effective date.

Proposed law provides that all employees engaged in the performance of duties relating to the functions of the programs and services transferred from DCFS, or a successor

department, to La. Works are transferred to La. Works to carry out the functions of La. Works and its programs and services and shall continue to perform their duties, subject to applicable state laws, rules, and regulations.

Proposed law provides that in order to ensure continuity of services, La. Works shall provide adequate funding from the TANF program to DCFS, or a successor department, to run the child protection and child welfare services. Proposed law further provides that the amount and schedule of funding transfers shall be agreed upon by the departments.

Proposed law provides for the transfer of workforce development programs within DCFS to La. Works beginning July 1, 2025.

Proposed law provides for the transfer of the disability determination services program within DCFS to La. Works beginning July 1, 2025.

Except for provisions regarding the transfer of workforce development programs and the disability determination services program, proposed law becomes effective July 1, 2027, or when no more than \$1,000,000 in additional recurring state general funds is necessary to implement proposed law, whichever occurs later.

(Amends R.S. 11:780(C)(3)(a)(i), R.S. 14:68.2.1(A) and 74(D)(2), R.S. 15:933.1, R.S. 17:14.1(B)(1) and (C)(5), 3047.6(A) and (B), and 3914(M)(1) and (N)(1)(b), the heading of Chapter 1 of Title 23 of the Louisiana Revised Statutes of 1950, R.S. 23:1, 2, 3, 6(intro. para.), (1), (2), (3), (7), and (15), 7, 12, 14, 17, 73(A)(1), (C), and (E)(2), 74, 75(A), (B), (C)(1), (D)(3), and (E), 76(A), (B), and (C)(1), (2), and (8)(a), 78(intro. para.), (1), and (5), 1600(2) and (3)(a), 1693(I)(1), (2), and (3) and (J), R.S. 36:3(3), 4(intro. para.), and (A)(6), the heading of Chapter 7 of Title 36 of the Louisiana Revised Statutes of 1950, 301, 308(A)-(B), and 309, R.S. 46:56(A), (B)(1), and (L), 107(A)(1), 231.4(A), (D), and (F)(2), 352(1)(a) and (b) and (2)(a), 932(12), and 936, and R.S. 49:191(1)(f) and 1402(1)(d); Adds R.S. 23:1.1, 6(16) through (26), 1821-1915, and R.S. 46:107(E); Repeals R.S. 23:18 and 34, R.S. 36:308(E), R.S. 46:18, 101, 102, 102.1, 103-106, 108, 111-113, 114.1, 114.3, 114.4, 115, 116, 230.1, 231, 231.1-231.3, 231.5, 231.6, 231.12-231.14, 232, 233, 233.3, 234, 234.2, 235, 236, 237, 301, 321-328, 331, 332, 431-435, 441, 444, 447, 450.1, 460.1, 460.3-460.10 and R.S.49:1402(1)(a))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Change the effective date.
2. Remove provisions regarding the recommended appropriations for La. Works and DCFS in the executive budget for FY 2027-2028.
3. Provide for the digitizing and disposal of La. Works records in accordance with procedures established by the Dept. of State.