

2020 Second Extraordinary Session

HOUSE BILL NO. 66

BY REPRESENTATIVE BEAULLIEU

UNEMPLOYMENT COMP: Provides relative to the state's unemployment insurance program and data sharing (Item #64)

1 AN ACT

2 To enact R.S. 23:1605, relative to unemployment compensation; to provide for definitions;
3 to require the Louisiana Workforce Commission to conduct certain checks with
4 respect to unemployment compensation; to provide for data sharing; to require
5 annual reports; to provide for the promulgation of rules; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:1605 is hereby enacted to read as follows:

9 §1605. Unemployment insurance integrity program

10 A. For the purpose of this Section, the following terms have the meanings
11 ascribed to them:

12 (1) "Department" means the Louisiana Workforce Commission.

13 (2) "Integrity Data Hub" means the centralized, multi-state data analysis tool
14 utilized by the National Association of State Workforce Agencies, which allows
15 participating state unemployment insurance agencies to cross-match unemployment
16 insurance claims against a database of information associated with potentially
17 fraudulent claims or overpayments.

18 (3) "National Directory of New Hires" means the database that stores
19 personal and financial data on employed individuals across the country and contains
20 information and data on individuals receiving unemployment compensation.

1 (4) "New hire records" means the directory of newly hired and re-hired
2 employees reported under state and federal law and managed by the Office of Child
3 Support Enforcement.

4 (5) "Unemployment insurance rolls" means unemployed workers receiving
5 unemployment insurance in the state.

6 B. The department shall be tasked with the responsibility of enhancing the
7 integrity of the state's unemployment insurance program.

8 C. To ensure the integrity of the unemployment insurance program and to
9 verify eligibility and to prevent fraudulent filing and payment of claims, the
10 department is required to do all of the following:

11 (1) The department may use commercially available database solutions to
12 check new hire records against the state's unemployment insurance rolls on a weekly
13 basis.

14 (2) The department, on a weekly basis, is required to check new hire records
15 against the National Directory of New Hires.

16 (3) The department shall check the Integrity Data Hub.

17 (4) The department, on a weekly basis, is required to check the
18 unemployment insurance rolls against the Louisiana Department of Public Safety and
19 Corrections' list of incarcerated individuals.

20 D. When the department receives information concerning an individual who
21 is participating in the unemployment compensation insurance program that indicates
22 a change in circumstances that may affect his eligibility, the department shall review
23 the individual's case and make a final determination of his eligibility in accordance
24 with the provisions of R.S. 23:1600 and 1601.

25 E. Pursuant to the performance of all cross-match activities required by this
26 Section, the Louisiana Workforce Commission shall provide to the legislature a
27 report on or before June thirtieth annually. The report shall include all of the
28 following:

1 (1) The department's rate of consistency in performing the weekly checks
 2 against the Integrity Data Hub and National Directory of New Hires.

3 (2) The type and amount of improper payments detected retroactively.

4 (3) The type and amount of improper payments prevented.

5 (4) The dollar amount the state has saved in preventing improper payments
 6 and, if any, in recouping improper payments.

7 F. The department shall have the authority to execute a memorandum of
 8 understanding with any state department, agency, or division for data that is
 9 necessary to carry out the purposes of this Section.

10 G. The Louisiana Workforce Commission shall promulgate all rules and
 11 regulations necessary for the purposes of carrying out the provisions of this Section.

12 Section 2.(A) This Act shall be known and may be cited as the "Unemployment
 13 Insurance Program Integrity Act of 2020".

14 (B) The purpose of this Act is to enhance program integrity for the state's
 15 unemployment insurance program.

16 Section 3. This Act shall become effective January 1, 2021.

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 66 Reengrossed

2020 Second Extraordinary Session

Beaulieu

Abstract: Provides relative to the state's unemployment insurance program by implementing an unemployment insurance integrity program and data sharing.

Proposed law defines terms for the purposes of proposed law.

Proposed law provides that the La. Workforce Commission (LWC) shall be tasked with the responsibility of enhancing the integrity of the state's unemployment insurance program.

Proposed law provides that in order to ensure the integrity of the unemployment insurance program and to verify eligibility to prevent fraudulent filing and payment of claims, LWC is required to do all of the following:

- (1) LWC may use other commercially available database solutions to check new hire records against the state's unemployment insurance rolls on a weekly basis.
- (2) LWC, on a weekly basis, is required to check new hire records against the National Directory of New Hires.

- (3) LWC is required to check the Integrity Data Hub.
- (4) LWC, on a weekly basis, shall check the unemployment insurance rolls against the La. Dept. of Public Safety and Corrections' list of incarcerated individuals.

Proposed law provides when LWC receives information concerning an individual who is participating in the unemployment compensation insurance program that indicates a change in circumstances that may affect his eligibility, LWC shall review the individual's case and make a final determination of his eligibility in accordance with the provisions in present law.

Proposed law requires LWC to provide an annual report to the legislature to include all of the following:

- (1) The department's rate of consistency in performing the weekly checks against the Integrity Data Hub and National Directory of New Hires.
- (2) The type and amount of improper payments detected retroactively.
- (3) The type and amount of improper payments prevented.
- (4) The dollar amount the state has saved in preventing improper payments and, if any, in recuperating improper payments.

Proposed law provides that LWC shall be the authority to execute a memorandum of understanding with any, within reason, state department, agency, or division for data that is necessary to carry out the purposes outlined in proposed law.

Proposed law provides that LWC shall promulgate all rules and regulations necessary for the purposes of carrying out the provisions under proposed law.

Proposed law provides that proposed law shall be known and may be cited as the "Unemployment Insurance Program Integrity Act of 2020" and that the purpose of proposed law is to enhance program integrity for the state's unemployment insurance program.

Effective Jan. 1, 2021.

(Adds R.S. 23:1605)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Correct the name of the National Directory of New Hires.
2. Clarify that the definition "new hire records" means the directory of newly hired and re-hired employees reported under state and federal law and managed by the Office of Child Support Enforcement, not LWC.
3. Authorize LWC to use other commercially available database solutions to check new hire records.
4. Mandate LWC to check the Integrity Data Hub.
5. Make technical changes.