
DIGEST

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Dixon

HB No. 566

Abstract: Provides with respect to reciprocal arrangements between federal and state agencies in unemployment cases.

Present law allows the administrator to enter into reciprocal arrangements with appropriate and duly authorized agencies of other states or of the United States.

Present law provides that services performed by an individual for a single employing unit in more than one state shall be deemed to be performed entirely within any one of the states that the service is performed, in which the worker has his residence, or in which the employing unit maintains its place of business.

Proposed law retains present law.

Proposed law allows the administrator to enter into reciprocal arrangements regarding the recovery of overpaid benefits with appropriate agencies of other states or with the United States.

Proposed law provides for definitions.

Proposed law provides for the recovery of state or federal benefits by providing the procedure both the requesting state and the recovering state must follow.

Proposed law requires the requesting state to send the recovering state a request for overpayment, as well as a notice of such to the claimant.

Proposed law further requires the requesting state to send a new overpayment balance to the recovering state whenever the requesting state receives any amount of repayment from a source other than the recovering state.

Proposed law requires the recovering state to issue an overpayment recovery determination to the claimant, and provides what this determination shall include.

Proposed law further provides that the recovering state shall offset benefits payable for each week claimed in the amount determined under state law and to notify the claimant of the offset.

Proposed law requires that the recovering state shall prepare and forward, at least once a month, a payment representing the amount recovered, made payable to the requesting state except as

provided for in combined wage claims.

Proposed law requires the recovering state to retain a record of the overpayment balance, not redetermine the original overpayment determination, recover across benefit years and programs, and use the ET Handbook for determining priorities for offsetting overpayments.

Proposed law provides for combined wage claims, and outlines the procedure for both the paying state and the recovering state.

Proposed law requires the paying state to offset any outstanding overpayment in a transferring state prior to honoring a request from any other participating state and credit the deductions against the statement of benefits paid to combined wage claimants, or forward a payment to the transferring state.

Proposed law provides that withdrawal of a combined wage claim after benefits have been paid shall be honored only if the claimant has repaid any benefits paid or authorizes the new liable state to offset the overpayment.

Proposed law requires the paying state to issue an overpayment determination and forward a copy of the determination, with an overpayment recovery request and an authorization to offset, to the liable state.

Proposed law requires the recovering state to prioritize the offset of overpayments, and offset the total amount of any overpayment prior to the release of any payments to the claimant.

Proposed law requires the recovering state to provide the claimant with a notice of the amount offset and prepare and forward a payment representing the amount recovered to the requesting state.

(Amends R.S. 23:1665(A)(intro. para.); Adds R.S. 23:1665(B), 1665.1, 1665.2, and 1665.3)