
DIGEST

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HB 982 Original

2022 Regular Session

Duplessis

Abstract: Establishes the Future of Louisiana Program (program) in the La. Dept. of Health (department) to provide qualified beneficiaries with a lump-sum payment to put towards postsecondary education, the purchase of a home, or the formation of a business, as explained in more detail below.

Proposed law establishes the Future of Louisiana Fund (fund) and requires the treasurer to deposit \$3,500 into the fund each year for each baby born in the immediately prior fiscal year who was eligible for or covered by Medicaid (if the parent did not opt the child out of the program at birth). Requires the secretary of the department to certify the number of qualifying children to the treasurer each year so the deposit into the fund can be made.

Proposed law authorizes a beneficiary who is between the ages of 18 and 35 and whose parent did not opt him out of the program at birth to apply for payment from the program. Defines "beneficiary" to mean a La. domiciliary who was born in La. on or after July 1, 2024, and whose birth was eligible for or covered by Medicaid. The payment will be a lump-sum based on the initial amount deposited on the beneficiary's behalf after birth, plus the net of all interest attributable to such sum through the date of the beneficiary's application. Requires the beneficiary to certify that payment received pursuant to proposed law will be used within five years for costs associated with any of the following:

- (1) Postsecondary education of the beneficiary in La., including universities, colleges, community and technical schools, trade schools, apprenticeships, and technical certifications and licensures.
- (2) Purchase of a home in La. by the beneficiary.
- (3) Formation of a business in La. by the beneficiary.

Proposed law provides that a qualifying beneficiary shall not receive less than \$3,500 from the fund.

Proposed law further provides that if a beneficiary dies before submitting a valid claim for payment from the program or does not submit a valid claim before his 35th birthday, monies in the fund held for such beneficiary shall be forfeited and reverted to the state general fund by the treasurer. Requires the secretary to submit a list to the treasurer each year that does not contain personally identifiable information showing the ages of individuals enrolled in the program who are deceased or who no longer qualify for a distribution from the fund so that the treasurer can calculate the

amount that must be remitted to the general fund.

Proposed law provides that for the purposes of federal health law (HIPAA), disclosures of confidential information made for enrollment and administration of the program are mandatory. Further provides that personally identifying information disclosed for the purposes of participation in the program, including receipt of a payment from the fund, is not a public record

Further provides that monies held in the fund for a beneficiary pursuant to proposed law shall not:

- (1) Be considered assets for purposes of determining an individual's eligibility for assistance under any program administered by the department or the Dept. of Children and Family Services.
- (2) Be considered assets for purposes of determining an individual's eligibility for need-based or other aid grants offered to an individual at a public elementary, secondary, or postsecondary educational facility in this state.

Proposed law requires the department to promulgate rules in accordance with the present law (Administrative Procedure Act) necessary to carry out the provisions of proposed law.

Proposed law establishes the fund in the state treasury for investment of monies held on behalf of program participants. Requires the treasurer to annually deposit monies into the fund on behalf of each qualifying baby born pursuant to proposed law. Provides that monies in the fund shall be invested in the same manner as monies in the state general fund. Provides for credit of interest to the fund and prohibits reversion to the state general fund of unexpended and unencumbered monies in the fund at the end of the fiscal year.

Proposed law establishes the Future of Louisiana Committee to advise the legislature on the progress of the Future of Louisiana Program. Requires the department to provide staff for the committee. Establishes the membership of the committee as follows:

- (1) The speaker of the House of Representatives shall appoint two members, one from each of the two largest legislative caucuses.
- (2) The president of the Senate shall appoint two members, one from each of the two largest legislative caucuses.
- (3) The state treasurer, or his designee.
- (4) The secretary of the department, or his designee.
- (5) The secretary of the Dept. of Children and Family Services, or his designee.

Proposed law further provides that the committee will be chaired by the secretary of the department. Requires the secretary to call the first meeting of the committee no later than July 1, 2023. Requires

subsequent meetings to be held as follows:

- (1) At least one meeting each year through 2034.
- (2) At least two meetings each year in 2035 through 2039.
- (3) At least quarterly meetings in 2040 through 2042.

Proposed law provides for the terms of the members on the committee, for payment of per diem to legislative members, the payment of travel expenses, and for the filling of vacancies. Requires the committee to periodically review the program to ensure it will achieve its goals and to review the following topics and report to the legislature on:

- (1) Efficient distribution of funds in accordance with the intent of the program.
- (2) The beneficiary's use of funds to ensure compliance with program requirements.
- (3) The program's impact on generational wealth inequities.
- (4) Evaluation of fund solvency and performance relative to programmatic objectives and goals.
- (5) Recommendations for improvements or changes to the program.
- (6) Other matters or issues that may arise in relation to the program and its administration or objectives.

Proposed law provides that the committee terminates on Jan. 1, 2043.

Present law (R.S. 44:1 et seq.) establishes the Public Records Law, which in general makes all information created or held by state entities in the ordinary course of business subject to public inspection. Further establishes exceptions to this general rule. Proposed law retains present law and adds an exception to the Public Records Law for the Future of Louisiana Program.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 44:4.1(B)(31); Adds R.S. 46:421-421.5)