

SENATE BILL NO. 259

BY SENATOR HEWITT AND REPRESENTATIVE GAROFALO

1 AN ACT

2 To enact Chapter 21 of Title 49 of the Revised Statutes of 1950, to be comprised of R.S.
3 49:1401-1403, relative to certain public benefit programs; to require annual reports
4 from state agencies administering federal and state social services and financial
5 assistance programs; to enhance program integrity; to eliminate fraud, waste, and
6 abuse of federal and state resources; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 21 of Title 49 of the Revised Statutes of 1950, comprised of R.S.
9 49:1401-1403, is hereby enacted to read as follows:

10 CHAPTER 21. REPORTS

11 §1401. Short title

12 This Chapter shall be known and may be cited as the "Public Benefit
13 Integrity Law".

14 §1402. Definition of terms

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

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

18 (a) Department of Children and Family Services.

19 (b) Department of Education.

20 (c) Louisiana Department of Health.

21 (d) Louisiana Workforce Commission.

1 (2) "Program" means any of the following:

2 (a) Medicaid.

3 (b) Temporary Assistance for Needy Families (TANF).

4 (c) Family Independence Temporary Assistance (FITAP).

5 (d) Supplemental Nutrition Assistance Program (SNAP).

6 (e) Supplemental Nutrition Assistance Program for Women, Infants, and
7 Children (WIC).

8 (f) Unemployment Compensation.

9 (g) Child Care Assistance Program (CCAP).

10 (3) "Procedural reason" means a reason for an action on a program case
11 related to an agency's nonreceipt of materials or information necessary for
12 determining benefit eligibility.

13 §1403. Reports

14 Beginning in 2023, any agency that administers a program shall, no later
15 than February fifteenth of each year, submit a report to the legislature,
16 providing, at a minimum, the following information:

17 (1) For the current fiscal year, the total dollar amount and percentage
18 of the agency's budget for the program allocated for program integrity and
19 eliminating fraud, waste, and abuse.

20 (2) A description of the agency's current policies and practices that
21 reduce fraud, waste, and abuse of program benefits.

22 (3) For the preceding calendar year, the total number of individuals
23 determined by the agency or Legislative Auditor to have improperly received
24 benefits through the program and the total dollar amount of benefits
25 improperly received.

26 (4) The type and amount of improper payments.

27 (5) The type and amount of any improper payments prevented, if known.

28 (6) The dollar amount the state saved in preventing improper payments,
29 and if any, in recouping improper payments.

30 (7) A description of all policies, processes, and procedures in place at the

1 agency to determine eligibility for the program. The description shall include
2 details about what information the agency verifies or cross-checks through
3 databases and data exchanges with other agencies, including national databases,
4 and the frequency of that verification or cross-checking.

5 (8) A description of all policies, processes, and procedures in place at the
6 agency to identify individuals receiving benefits under the program who are no
7 longer eligible to receive benefits and what steps, if any, are taken and under
8 what timeline, to remove identified individuals from program participation.

9 (9) A detailed description of all policies, processes, and procedures in
10 place at the agency to verify federal or state work or work search requirements
11 for benefit eligibility, if applicable.

12 (10) The frequency with which the agency performs the verification.

13 (11) A description of any barriers the agency identifies to implementing
14 additional program integrity measures, including privacy or data sharing
15 impediments, administrative burden, and any increase in financial cost.

16 (12) A description of all metrics and data points used by the agency to
17 measure success of the program, including all metrics and data points related
18 to program integrity and fraud.

19 (13) For the preceding calendar year, measures of access in the program,
20 including:

21 (a) For each month, the number of applications received, the percentage
22 of applications denied, and the percentage of applications denied for procedural
23 reasons.

24 (b) Monthly call center performance metrics for call centers serving
25 clients and applicants, including the average number of calls and the average
26 and maximum call wait times.

27 (c) The average caseload per caseworker.

28 (14) A detailed description of the program's administrative appeals
29 process for clients, including but not limited to the number of hearings
30 requested by clients and the number of hearings waived by clients.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____