AN ACT

To enact Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:331 and 332, relative to Supplemental Nutrition Assistance Program benefits; to implement program integrity measures; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:331 and 332, is hereby enacted to read as follows:

SUBPART E-5. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

INTEGRITY MEASURES

§331. Findings and intent

A. The legislature hereby finds and declares the following:

(1) It is the policy of this state to protect public benefits for those who are truly needy and eligible for such benefits and to prevent waste and fraud from limiting available resources and increasing dependency unnecessarily.

(2) The Supplemental Nutrition Assistance Program, formerly known as "food stamps" and referred to hereafter in this Subpart as "SNAP", provides
support to needy households and to persons making the transition from welfare
to work.

(3) Data suggests that error rates, including overpayments and
underpayments, are intolerably high in SNAP and represent a solvable
problem.

(4) Beyond payment errors, fraud is pervasive in SNAP among both
retailers and holders of electronic benefit cards.

B. It is the intent of this Subpart to institute a system of modern and
comprehensive interagency data cross-checks and implement other program
integrity measures available to ensure ongoing eligibility for SNAP.
§332. Supplemental Nutrition Assistance Program; integrity measures

The secretary of the Department of Children and Family Services shall
adopt the following measures to verify ongoing eligibility in SNAP:

(1) All households receiving SNAP benefits shall be subject to change
reporting and report changes in circumstances, as established by 7 CFR
273.12(a)(1), within ten days of the date the change becomes known to the
household.

(2) The Department of Children and Family Services shall, with all
necessary coordination with appropriate law enforcement authorities, including
but not limited to the United States Federal Bureau of Investigation, the United
States Department of Justice, state, and local law enforcement entities, conduct
an annual on-site inspection of each authorized retailer that accepts electronic
benefit transfer (EBT) card transactions as a condition of remaining an
authorized retailer in order to identify suspicious transaction records or
amounts indicating possible trafficking of benefits or other criminal conduct
and make referrals for proper investigations under applicable law.

(3) The secretary of the Department of Children and Family Services
shall enter into the following data matching agreements with state agencies to
cross-check households enrolled in SNAP benefits with other state data sets:
(a) On at least a monthly basis, the Department of Children and Family Services shall receive and review information from the Louisiana Department of Health and the state registrar of vital records concerning individuals in households enrolled in SNAP benefits that indicates a change in circumstances that may affect eligibility for SNAP benefits, including but not limited to death records.

(b) On at least a quarterly basis, the Department of Children and Family Services shall receive and review information from the Louisiana Workforce Commission concerning individuals in households enrolled in SNAP benefits that indicates a change in circumstances that may affect eligibility for SNAP benefits, including but not limited to changes in employment or wages.

(c) On at least a monthly basis, the Department of Children and Family Services shall receive and review information concerning individuals in households enrolled in SNAP that indicates a change in circumstances that may affect eligibility for SNAP benefits, including but not limited to potential changes in residency as identified by out-of-state EBT transactions.

(d) On at least a quarterly basis, the Department of Children and Family Services shall receive and review information from the Department of Revenue concerning individuals in households enrolled in SNAP that indicates a change in circumstances that may affect eligibility for SNAP benefits, including but not limited to potential changes in income, wages, or residency as identified by tax records.

(e) On at least a monthly basis, the Department of Children and Family Services shall receive and review information from the Department of Public Safety and Corrections concerning individuals in households enrolled in SNAP that indicates a change in circumstances that may affect eligibility for SNAP benefits, including but not limited to incarceration status.

(f) On at least a semimonthly basis, the Department of Children and Family Services shall receive and review information from the Louisiana
Workforce Commission concerning individuals in households enrolled in SNAP
that indicates a change in circumstances that may affect eligibility for SNAP
benefits, including but not limited to potential changes in employment, income,
or assets.

(g) On at least a monthly basis, the Department of Children and Family
Services shall receive and review information from the Louisiana Lottery, the
Louisiana Racing Commission, and the Louisiana Gaming Control Board to
identify households with lottery, racing, or gambling winnings of three thousand
dollars or more and, to the extent permissible under federal law, treat this data
as verified upon receipt. To the extent the data may not be verified upon receipt,
the department shall make referrals for further investigation to identify
households with winnings equal to or greater than the resource limit for elderly
or disabled households as defined in 7 CFR 273.8(b).

(4) On at least a monthly basis, the Department of Children and Family
Services shall assess continued eligibility and act on findings, review and act on
the following data from federal sources:

(a) Earned income information, death records, incarceration records,
    supplemental security income information, beneficiary records, earnings
    information, and pension information maintained by the United States Social
    Security Administration.

(b) Income and employment information maintained in the national
directory of new hires database and child support enforcement data maintained
by the United States Department of Health and Human Services.

(c) Payment and earnings information maintained by the United States
Department of Housing and Urban Development.

(d) National fleeing felon information maintained by the United States
Federal Bureau of Investigation.

(5) On at least a quarterly basis, the Department of Children and Family
Services shall make available to the public on its website data from findings of
noncompliance and fraud investigations in SNAP benefits for the following
aggregate, nonconfidential, and nonpersonally identifying information:

(a) The number of households investigated for intentional program
violations or fraud.

(b) Total number of households referred to the Louisiana Department
of Justice and United States Department of Justice for prosecution.

(c) The amount of improper payments and expenditures.

(d) The amount of monies recovered.

(e) Aggregate data concerning improper payments and ineligible
recipients as a percentage of those investigated and reviewed.

(f) Aggregate amount of funds expended by electronic benefit card
transactions in each state outside of Louisiana.

(6) On at least a monthly basis, the Department of Children and Family
Services shall utilize EBT card data to flag any individual making purchases
exclusively out-of-state over a ninety-day period. The department shall contact
each individual flagged within thirty days to determine whether they reside in
Louisiana and discontinue benefits for anyone who does not respond within
thirty days of making contact. Within fifteen days of the benefits being
discontinued, the department shall refer such cases to the United States
Department of Justice for the district where the individual claimed to reside.

Section 2. This Act shall become effective upon signature by the governor or, if not
signed by the governor, upon expiration of the time for bills to become law without signature
by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
effective on the day following such approval.
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Amanda Trapp.

**DIGEST**

SB 196 Original 2024 Regular Session Miguez

Proposed law provides legislative findings and intent regarding the integrity of the Supplemental Nutrition Assistance Program, "SNAP", formerly known as "food stamps".

Proposed law requires the secretary of the Dept. of Children and Family Services to implement program integrity measures to verify ongoing eligibility in SNAP.

Proposed law requires that the program integrity measures include change reporting, annual on-site inspection of each authorized retailer that accepts EBT cards, and data matching agreements with certain state agencies.

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

(Adds R.S. 46:331 and 332)