

2025 Regular Session

HOUSE BILL NO. 624

BY REPRESENTATIVE BERAULT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WORKFORCE COMMISSION: Transfers certain family and support programs from the Department of Children and Family Services to the Louisiana Workforce Commission and renames Louisiana Workforce Commission to Louisiana Works

1 AN ACT

2 To amend R.S. 11:780(C)(3)(a)(i), R.S. 14:68.2.1(A) and 74(D)(2), R.S. 15:933.1, R.S.

3 17:14.1(B)(1) and (C)(5), 3047.6(A) and (B), and 3914(M)(1) and (N)(1)(b), the

4 heading of Chapter 1 of Title 23 of the Louisiana Revised Statutes of 1950, R.S.

5 23:1, 2, 3, 6(introductory paragraph), (1), (2), (3), (7), and (15), 7, 12, 14, 17,

6 73(A)(1), (C), and (E)(2), 74, 75(A), (B), (C)(1), (D)(3), and (E), 76(A), (B), and

7 (C)(1), (2), and (8)(a), 78(introductory paragraph), (1), and (5), 1600(2) and (3)(a),

8 1693(I)(1), (2), and (3) and (J), R.S. 36:3(3), 4(introductory paragraph), and (A)(6),

9 the heading of Chapter 7 of Title 36 of the Louisiana Revised Statutes of 1950, 301,

10 308(A) through (B), and 309, R.S. 46:56(A), (B)(1), and (L), 107(A)(1), 231.4(A),

11 (D), and (F)(2), 352(1)(a) and (b) and (2)(a), 932(12), and 936, and R.S. 49:191(1)(f)

12 and 1402(1)(d), to enact R.S. 23:1.1, 6(16) through (26), and Chapter 11-B of Title

13 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1821

14 through 1915 and R.S. 46:107(E), and to repeal R.S. 23:18 and 34, R.S. 36:308(E),

15 R.S. 46:18, 101, 102, 102.1, 103 through 106, 108, 111 through 113, 114.1, 114.3,

16 114.4, 115, 116, 230.1, 231, 231.1 through 231.3, 231.5, 231.6, 231.12 through

1 231.14, 232, 233, 233.3, 234, 234.2, 235, 236, 237, Subpart E-2 of Part II of Chapter  
2 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:301,  
3 Subpart E-4 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of  
4 1950, comprised of R.S. 46:321 through 328, Subpart E-5 of Part II of Chapter 3 of  
5 Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:331 and  
6 332, Part VI of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950,  
7 comprised of R.S. 46:431 through 435, 441, 444, 447, 450.1, and Part IX of Chapter  
8 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S.46:460.1  
9 and 460.3 through 460.10 and R.S.49:1402(1)(a), relative to the reorganization and  
10 restructure of the Louisiana Workforce Commission and the Department of Children  
11 and Family Services to provide for certain family and support programs in the  
12 Department of Children and Family Services (DCFS) being transferred to the  
13 Louisiana Workforce Commission (LWC); to replace the Department of Children  
14 and Family Services with Louisiana Works in certain provisions in Titles 11, 14, 15,  
15 and 46 of the Louisiana Revised Statutes of 1950 that reference DCFS programs that  
16 will be transferred into Louisiana Works; to change the name of the Louisiana  
17 Workforce Commission to Louisiana Works; to establish the purpose of Louisiana  
18 Works; to establish additional duties and powers of the department; to provide for  
19 the powers and duties of the secretary of Louisiana Works; to provide definitions;  
20 to provide for integrated case management and service integration of social service  
21 programs; to provide for the integration of workforce and public assistance  
22 development programs; to provide for grants to local workforce development areas;  
23 to provide for deductions for overissuance of SNAP benefits; to provide for the  
24 organization of social services programs within Louisiana Works; to provide rules  
25 and regulations for the department for the purposes of granting, administering, and  
26 investigating claims for public assistance benefits; to provide for the Public  
27 Assistance Fraud Hot-Line; to provide for the Fraud Detection Fund; to provide for  
28 SNAP Nutrition Education; to provide for the SNAP Workforce Training and  
29 Education Program; to provide for duties of the department in regards to

administering SNAP; to provide for the duties of customers for maintaining eligibility of SNAP benefits and satisfying SNAP requirements; to provide for notification for certain legislative reports and reporting; to provide for the SNAP work requirements; to provide for aid to needy families, such as the Temporary Assistance for Needy Families (TANF) and subsidiary programs within TANF, such as the Family Independence Temporary Assistance Program (FITAP), the Kinship Care Subsidy Program, and other educational, employment, training, and related services programs; to provide for the submission of certain federal quarterly reports to the legislature; to provide for the Incentive Award program; to provide for the administration of public assistance benefits payable to mentally incapable individuals; to add certain functions to the office of workforce development; to transfer certain powers, duties, functions, and responsibilities relating to certain programs within the office of family support of DCFS into Louisiana Works; to make technical corrections; to authorize the Louisiana State Law Institute to make certain requested changes to references concerning LWC; to authorize the office of state register to make all necessary changes for applicable references to DCFS and Louisiana Works; to provide for the monies held in the state treasury for the Fraud Detection Fund to be transferred to Louisiana Works; to provide for the continuity of programs and contracts transferred from DCFS to Louisiana Works; to provide for effective dates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 11:780(C)(3)(a)(i) is hereby amended and reenacted to read as follows:

§780. Reexamination of disability retirees; modification of benefits; restoration to active service

\* \* \*

C.

\* \* \*

(3)(a) If, pursuant to the provisions of this Subsection, the board of trustees reduces the pension of any disability retiree of this system who retired pursuant to a reciprocal agreement between this system and any other state or statewide public retirement system, the reduction shall be subject to Subparagraph (b) of this Paragraph, provided the retiree satisfies all of the following provisions of this Subparagraph:

(i) The vocational rehabilitation program within the Department of Children and Family Services Louisiana Works furnishes the retiree with durable medical equipment for use, subject to a requirement that the retiree be engaged in a gainful occupation for at least twenty hours per week.

\* \* \*

Section 2. R.S. 14:68.2.1(A) and 74(D)(2) are hereby amended and reenacted to read as follows:

§68.2.1. Failure to report unauthorized use of supplemental nutrition assistance  
program benefits; penalties

A. Employees of the Department of Children and Family Services Louisiana Works, owners, employees and operators of retailers that accept SNAP benefit access device transactions, and adult household members of SNAP recipients shall report each instance of known fraud or abuse of SNAP benefits, or any known unauthorized use of SNAP benefits or a SNAP benefit access device as defined in R.S. 14:68.2, to the fraud detection section, ~~office of children and family services of the Department of Children and Family Services~~ office of workforce support and training of Louisiana Works via the Public Assistance Fraud Hot-Line as provided for by R.S. ~~46:114.1~~ 23:1838.

\* \* \*

## §74. Criminal neglect of family

\* \* \*

D.

\* \* \*

(2) If a fine is imposed, the court shall direct it to be paid in whole or in part to the spouse or to the tutor or custodian of the child, to the court approved fiduciary of the spouse or child, or to ~~the Louisiana Department of Children and Family Services~~ Louisiana Works in a FITAP or Family Independence Temporary Assistance Program case or in a non-FITAP or Family Independence Temporary Assistance Program case in which the ~~said~~ department is rendering services, whichever is applicable; hereinafter, ~~said~~ the payee shall be referred to as the "applicable payee." In addition, the court may issue a support order, after considering the circumstances and financial ability of the defendant, directing the defendant to pay a certain sum at such periods as the court may direct. This support shall be ordered payable to the applicable payee. The amount of support as set by the court may be increased or decreased by the court as the circumstances may require.

\* \* \*

Section 3. R.S. 15:933.1 is hereby amended and reenacted to read as follows:

§933.1. Office of juvenile justice; statistical data collection; ~~Department of~~  
Children and Family Services Louisiana Works

A. For the purpose of assisting ~~the Department of Children and Family Services~~ Louisiana Works in identifying changes in household circumstances for Supplemental Nutrition Assistance Program benefit allotments, the office of juvenile justice shall report identifying information to the department of each juvenile placed under the custody of the office of juvenile justice for a sentence of nine months or longer. ~~The Department of Children and Family Services~~ Louisiana Works shall determine the required information necessary to identify the juvenile and the juvenile's household.

B. If the juvenile has not reached the age of majority at the time of release, the office of juvenile justice shall report to ~~the Department of Children and Family Services~~ Louisiana Works when the juvenile is released from custody. For purposes of this Section, the age of majority means a child under the age of twenty-two.

1 C. The office of juvenile justice shall inform ~~the Department of Children~~  
2 ~~and Family Services~~ Louisiana Works no later than forty-five days prior to release  
3 of the juvenile from custody. If the office of juvenile justice is unable to provide  
4 notice forty-five days prior to release due to a modification of a disposition by a  
5 court, the office shall notify the department within twenty-four hours of receipt of  
6 the modified disposition.

7 D. Upon receipt of a report from the office of juvenile justice pursuant to this  
8 Section, ~~the Department of Children and Family Services~~ Louisiana Works shall  
9 adjust the Supplemental Nutrition Assistance Program benefits for the juvenile's  
10 household to reflect the change in circumstance.

11 Section 4. R.S. 17:14.1(B)(1) and (C)(5), 3047.6(A) and (B), and 3914(M)(1) and  
12 (N)(1)(b) are hereby amended and reenacted to read as follows:

13 §14.1. Family literacy demonstration program

14 \* \* \*

15  
16 B. The family literacy demonstration program shall include the following:  
17 (1) At least ten demonstration projects at locations determined by criteria  
18 established by the State Board of Elementary and Secondary Education in  
19 consultation with the office of literacy, ~~the Department of Children and Family~~  
20 ~~Services,~~ Louisiana Works and representatives, as selected by the board, from the  
21 private sector. There shall be at least one demonstration project in each  
22 congressional district of the state, but no more than two such projects in any one  
23 congressional district. To the extent possible, each demonstration project shall  
24 involve the local public school system, ~~Children and Family~~ Louisiana Works  
25 service providers, other local public and private literacy providers, and other  
26 governmental agencies in a cooperative and coordinated effort to plan, fund, and  
27 operate the project.

28 \* \* \*

1 C. A demonstration project shall have not less than fifteen nor more than  
2 twenty adult participants in addition to the children of such participants and shall  
3 have the following components:

4 \* \* \*

5 (5) Other components as determined by the State Board of Elementary and  
6 Secondary Education in consultation with the office of literacy, ~~the Department of~~  
7 ~~Children and Family Services~~ Louisiana Works, and representatives, as determined  
8 by the board, from the private sector.

9 \* \* \*

10 §3047.6. Coordination with other agencies

11 A. Notwithstanding any other law to the contrary, the administering agency  
12 shall enter into a memorandum of understanding with ~~the Department of Children~~  
13 ~~and Family Services~~ Louisiana Works and the Louisiana Department of Health to  
14 share information relative to an individual's qualification for certain aid or  
15 governmental benefits. Any information shared or furnished shall be held  
16 confidential by the administering agency and shall be reported in the aggregate only  
17 and contain no personally identifiable information.

18 B. Notwithstanding R.S. 47:1508 or any other law to the contrary, the  
19 administering agency shall enter into a memorandum of understanding with the  
20 Department of Revenue and ~~the Louisiana Workforce Commission~~ Louisiana Works  
21 to share information relative to a taxpayer's reported income, residency, and  
22 employment information for purposes of generating data related to the success of  
23 award recipients in the workforce. Any information shared or furnished shall be held  
24 confidential by the administering agency and shall be reported in the aggregate only  
25 and contain no personally identifiable information.

26 \* \* \*

27 §3914. Student information; privacy; legislative intent; definitions; prohibitions;  
28 parental access; penalties

29 \* \* \*

1 M.(1) Notwithstanding any provision of law to the contrary and except as  
2 provided in Paragraph (2) of this Subsection, the governing authority of each public  
3 or nonpublic school or other entity that participates in a meal program through which  
4 students are eligible for the ~~pandemic electronic benefits transfer program~~ or summer  
5 electronic benefits transfer program shall share student information with ~~the~~  
6 ~~Department of Children and Family Services~~ Louisiana Works for the purpose of  
7 facilitating program administration, including but not limited to the automatic  
8 issuance of benefits to eligible families. Such information shall be limited to the first  
9 name, middle name, last name, address, school site code, student unique identifier,  
10 and date of birth of each student eligible for free or reduced price meals at school.

11 \* \* \*

12 N.(1) Notwithstanding any provision of this Section to the contrary, each  
13 public secondary school governing authority shall do the following:

14 \* \* \*

15 (b) Disclose the social security number to the company with which the state  
16 has contracted to develop unique student identifiers and ~~the Louisiana Workforce~~  
17 ~~Commission~~ Louisiana Works.

18 \* \* \*

19 Section 5. The heading of Chapter 1 of Title 23 of the Louisiana Revised Statutes  
20 of 1950, R.S. 23:1, 2, 3, 6(introductory paragraph), (1), (2), (3), (7), and (15), 7, 12, 14, 17,  
21 73(A)(1), (C), and (E)(2), 74, 75(A), (B), (C)(1), (D)(3), and (E), 76(A), (B), and (C)(1), (2),  
22 and (8)(a), 78(introductory paragraph), (1), and (5), 1600(2) and (3)(a), 1693(I)(1), (2), and  
23 (3) and (J) are hereby amended and reenacted and R.S. 23:1.1, 6(16) through (26), and  
24 Chapter 11-B of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
25 23:1821 through 1915, are hereby enacted to read as follows:

26 CHAPTER 1. ~~LOUISIANA WORKFORCE COMMISSION~~ LOUISIANA WORKS

27 PART I. ESTABLISHMENT, POWERS, AND DUTIES

1        §1. ~~Louisiana Workforce Commission~~ Louisiana Works established; purpose;  
2                definitions

3                A. ~~The Louisiana Workforce Commission~~ Louisiana Works is hereby  
4                created and established to operate an integrated workforce development delivery  
5                system in this state, in particular through the integration of social services eligibility  
6                determination, benefit payments, job training, employment and employment-related  
7                education and training programs, and to administer the state's vocational  
8                rehabilitation services, independent living services, disability determinations, and  
9                blind services programs, and to administer the state's unemployment, ~~and workers'~~  
10              compensation, and supplemental nutrition and certain family support programs.

11              B. The duties of this ~~commission~~ department shall be exercised and  
12              discharged under the supervision and direction of the secretary. He shall have charge  
13              of the administration and enforcement of all laws, rules, policies, and regulations,  
14              which it is the duty of the ~~commission~~ department to administer and enforce, and  
15              shall direct all inspections and investigations, except as otherwise provided by law.

16              BC. The ~~commission~~ department shall meet the needs of all of the following:

17              (1) The employers of this state for the development of a highly skilled and  
18              productive workforce.

19              (2) The workers of this state for education, skills training, and labor market  
20              information to enhance their employability, earnings, and standard of living.

21              (3) The people of this state for a smooth and effective transition into the  
22              workforce, particularly persons receiving public assistance, displaced homemakers,  
23              displaced workers, adults with limited literacy skills, individuals with disabilities,  
24              and students moving from school to work.

25              (4) The communities of this state for programs that create jobs, attract  
26              employers, and encourage business expansion and retention.

27              (5) The taxpayers of this state for the efficient and effective expenditure of  
28              tax revenues for social service support delivery and workforce development.

(6) Individuals of this state with disabilities for vocational rehabilitation, independent living services, and blind services under the Rehabilitation Act and the Randolph-Sheppard Act.

€D. As used in this Title, unless the context clearly indicates otherwise, the following terms ~~shall be~~ are defined as follows:

~~(1) "Commission" means the Louisiana Workforce Commission.~~

~~(2)~~(1) "Council" means the Louisiana Workforce Investment Council.

(2) "Customer" means an individual who is eligible to receive assistance through Louisiana Works workforce or social service programs.

(3) "Department" means Louisiana Works.

~~(3)~~(4) "Secretary" means the secretary of the ~~commission~~ department.

(5) "SNAP" means the Supplemental Nutrition Assistance Program.

(6) "TANF" means the Temporary Assistance to Needy Families.

§1.1. Integrated case management; service integration of various social service programs

A. The legislature recognizes that the department provides services to support individuals with various needs and in various stages of life. However, the conventional service delivery system of requiring individuals to access various offices within the state and even within the department to address those multiple needs creates barriers for the delivery of those services and entry into the workforce. These needs can be better met, more efficiently and less costly, through integrated case management at a single service location with a single case worker. It is the intent of the legislature to provide a social services and workforce department that streamlines the delivery of services and incorporates integrated case management models for customers and their families served by multiple departments and programs.

B. For the purposes of this Section:

(1) "Integrated case management" means an accessible, customer-centered approach that coordinates the necessary services that meet the needs of each

1 individual or family which, if applicable, establishes a comprehensive, integrated  
2 service plan that addresses all of those needs and outcomes, which is continually  
3 monitored and updated as necessary.

4 (2) "Integrated service plan" means a plan that is based on the customer's  
5 strengths, risks, service needs, and improvement plan.

6 (3) "Service integration" means a process by which a range of social,  
7 education, and workforce employment and training services are delivered in a  
8 coordinated and seamless manner to provide customer-oriented services, increase  
9 early intervention and prevention opportunities, improve outcomes, and establish  
10 provider accountability through performance measures. Service integration shall  
11 include:

12 (a) A "One Door" business model which makes it easier for the customer to  
13 obtain services and allow various programs to work seamlessly together.

14 (b) Cross-training among the various program staff to ensure a general  
15 understanding of all programs to which a customer may require.

16 (c) Flexible use of funding among the offices and, if applicable, departments  
17 and community programs, comprising the multi-disciplinary team to ensure that the  
18 customer receives services for which he is eligible.

19 §2. Domicile of ~~commission~~ department

20 The domicile of ~~the Louisiana Workforce Commission~~ Louisiana Works shall  
21 be ~~at~~ in Baton Rouge.

22 §3. Employees; performance evaluations; salaries and expenses

23 The secretary shall, with the consent of the governor, appoint such assistants,  
24 such heads of divisions or bureaus, and such inspectors, statisticians, accountants,  
25 attorneys, and other employees as may be deemed necessary for the exercise of the  
26 powers and the performance of the duties of the ~~commission~~ department. The  
27 secretary, ~~or a person designated by him~~ his designee, shall develop a system of  
28 annual performance evaluations for all officers and employees of the ~~commission~~  
29 department based on measurable job tasks. The salaries of ~~such~~ the officers and

1 employees of the ~~commission~~ department shall be fixed by the secretary, with the  
2 approval of the governor. All officers and employees of the ~~commission~~ department  
3 shall receive from the state their necessary and actual expenses while traveling on  
4 the business of the ~~commission~~ department, either within or without the state.

5 \* \* \*

6 §6. Powers and duties

7 In addition to any other powers and duties which may be conferred upon the  
8 secretary by law, he ~~shall~~ may:

9 (1) ~~To the extent feasible under federal law, integrate~~ Integrate the  
10 administration and functions of the programs under the authority of the ~~commission~~  
11 department to achieve efficient and effective delivery of services.

12 (2) Administer each program and implement corresponding federal and state  
13 legislation consolidated under the authority of the ~~commission~~ department in this  
14 Title and other applicable state law.

15 (3) Determine the organization and procedural methods of the ~~commission~~  
16 department in accordance with applicable state and federal laws.

17 \* \* \*

18 (7) Coordinate with affected state agencies and workforce development  
19 entities the integration of the delivery of all education, training, employment,  
20 apprenticeship, social services, and related programs to ~~assure~~ ensure the efficient  
21 and effective provision of these services.

22 \* \* \*

23 (15) Designate an existing senior-level staff member of ~~the Louisiana~~  
24 ~~Workforce Commission~~ Louisiana Works to serve as liaison to the Board of  
25 Elementary and Secondary Education, the Department of Education, the Board of  
26 Regents, and the postsecondary education management boards to facilitate the  
27 identification of regional and statewide workforce needs and work-based educational  
28 and training opportunities and ensure coordination in the delivery of career and  
29 technical education across all educational agencies and institutions.

1           (16) Administer and supervise all forms of public assistance, including  
2           assistance to needy families, supplemental nutrition benefits to individuals in need,  
3           and any other public assistance activities or services that may be or may later be  
4           within the department's purview.

5           (17) Promulgate all necessary rules and regulations for the purposes of  
6           carrying out the provisions of this Title relative to public assistance laws.

7           (18) Oversee the organization and supervision by providing any necessary  
8           services, materials, or additional assistance and personnel needed to field offices to  
9           ensure effective administration of public assistance functions; and designate such  
10          offices to serve as its agent in the administration of public assistance activities in its  
11          respective parishes.

12          (19) Employ additional personnel as necessary in order to establish a  
13          sufficient number of audit teams for the purpose of investigating public assistance  
14          customers whose initial eligibility or continued eligibility is difficult to determine.  
15          These audit teams shall work the number of hours per week specified by the  
16          Department of State Civil Service; however, their working days and hours shall be  
17          arranged to obtain the greatest efficiency in accomplishing the purpose described  
18          above.

19          (20) Assist other departments, agencies, and institutions of the state or  
20          federal government, when so requested, by performing services in conformity with  
21          the purposes of this Title.

22          (21) Act as an agent of the state for the purpose of cooperating with the  
23          federal government in public assistance matters of mutual concern and in the  
24          administration of any federal funds granted in the state to aid in the furtherance of  
25          any functions of the department, and be empowered to meet the federal standards  
26          established for the administration of federal funds.

27          (22) Administer any federal, state, parish, municipal, or private funds made  
28          available for public assistance.

(23) Administer all public assistance funds in the purview of the department, estimate the moneys to be credited to the assistance fund from state and federal sources for the ensuing fiscal year, and allocate the total amount estimated to be available.

(24) Establish adequate standards for personnel employed in state, regional, or field offices and make necessary rules and regulations in order to maintain minimum standards of service and personnel based upon education, training, previous experience, and general efficiency, which shall be attained by the person appointed to the position.

(25) Whenever and wherever practicable, enter into reciprocal agreements with public assistance agencies from other states relative to the provisions of public assistance to residents and nonresidents and cooperate with other states and with any authorized agencies of the federal government in providing aid, provided such agreements are approved by the attorney general.

(26) Submit to the legislature an annual financial statement accounting for all funds appropriated by the department for the purposes of this Title and for public assistance purposes in its purview, including specific purposes for which funds are appropriated and a financial statement accounting for all federal funds allotted to the state by the federal government for the purposes of the department. The secretary shall publish annually a full report of the operations and administration of the department under the provisions of this Title and for other public assistance purposes together with recommendations and suggestions, and these reports shall be submitted to the governor.

§7. Access to books, accounts, records, etc.

The secretary or any duly authorized representative of the ~~commission~~ department shall, for the purpose of examination, have access to and the right to copy any book, account, record, payroll, paper, ~~or document,~~ or electronic file relating to the employment of workers.

\* \* \*

## 1        §12. Electronic digitized records; microfilm or microfiche records

2                The ~~commission~~ department may utilize an ~~imaging or~~ electronic digitizing  
3        process capable of reproducing an unalterable image of the original source document  
4        ~~, or any appropriate form of the microphotographic process,~~ for recordation, filing,  
5        processing, and preservation of any records, forms, information, statements,  
6        transcriptions of proceedings, transcriptions of records, electronic recordings, letters,  
7        memoranda, and other documents and reports to maintain efficient management and  
8        processing of records and to conserve storage space in administration of this Title.

9                                \*           \*           \*

## 10       §14. Employers to furnish information; keeping of records

11                A. Every employer shall furnish to the ~~commission~~ department all  
12        information which the secretary or his representative may require. Every employer  
13        shall ~~make~~ provide true and specific answers to all questions submitted by the  
14        ~~commission department, orally verbally~~ or in writing, as required by the ~~commission~~  
15        department.

16                B. Every employer shall keep a true and accurate record ~~of including but not~~  
17        limited to the following: the name, address, and occupation of each ~~person employed~~  
18        ~~by him~~ employee, of the daily and weekly hours worked by each employee, and ~~of~~  
19        the wages paid each pay period to each employee. These records shall be kept on  
20        file for at least one year after the date of the record.

21                                \*           \*           \*

22       §17. Integration of workforce and public assistance development programs

23                A. All social service programs designed to provide economic stability to an  
24        unemployed or underemployed individual shall be integrated with services and  
25        programs that provide job-training, employment, vocational rehabilitation services,  
26        independent living and blind services programs, and employment-related educational  
27        programs and functions, along with any federal, state, and local revenues that fund  
28        them, shall be integrated into the workforce development delivery system ~~to the~~  
29        ~~extent feasible~~, as determined by the secretary, under the authority of the

1 ~~commission~~ department through its office of workforce development, and all  
2 departments and agencies in which these programs are funded or operated shall  
3 cooperate with the ~~commission~~ department to promptly effect this integration.

4 B. If monies are appropriated by the legislature to conduct a workforce  
5 ~~facility condition~~ economic assessment, ~~service market data study/location analysis,~~  
6 ~~and master plan,~~ the secretary ~~shall transfer such monies to the Louisiana~~  
7 ~~Community and Technical College System~~ may contract with any state agency,  
8 higher education provider, or any private provider, subject to state procurement rules  
9 and regulations, to conduct such workforce ~~facility condition~~ economic assessment;  
10 ~~service market data study/location analysis, and master plan in order~~ to maximize the  
11 delivery of social service programs and workforce training and services throughout  
12 the state.

13 C. The secretary shall, to the maximum extent practicable under law,  
14 develop a uniform, statewide customer application and enrollment process to  
15 determine an applicant's eligibility for social safety net and workforce training and  
16 services provided by the department.

17 D. The department, in consultation with the Workforce Investment Council  
18 or local workforce development boards, shall develop a comprehensive statewide  
19 workforce and social services plan that aligns with the requirements of the  
20 Workforce Innovation and Opportunity Act of 2014, 29 U.S.C. 3101 et seq., or any  
21 superseding federal legislation. The plan shall include but is not limited to the  
22 following:

23 (1) A projected analysis of the workforce needs of employers and customers.

24 (2) A projected analysis of the social service needs of customers.

25 (3) Policy standards in programs and processes to ensure statewide program  
26 consistency among regional service areas.

27 (4) State outcome-based standards for measuring program performance to  
28 evaluate quality standards of performance, program efficacy, program viability, and  
29 prompt service to all customers.

(5) State oversight systems to review local workforce development board  
compliance with state policies.

(6) Elements of regional workforce services plans that relate to statewide initiatives and programs.

(7) Strategies to ensure program responsiveness, universal access, and unified case management.

(8) Strategies to provide assistance to employees and employers facing employment dislocation.

\* \* \*

### §73. Comprehensive labor market information system

A.(1) The council shall advise and direct on the development and content of a comprehensive labor market information system. The information provided, to the extent practicable, shall reflect the state's overall training and education effort. The system shall contain the following major components, and be regularly updated and readily available in a user friendly format:

(a) A comprehensive system of consumer labor market information on employment and training opportunities, continually updated and readily available in a user-friendly format.

(b) ~~A report card or~~ An objective factual performance information about existing workforce development activities, ~~continually updated and readily available in a user-friendly format.~~

(c) An information system on projected workforce growth, ~~and~~ job growth, and demand statewide and by geographic regions, periodically updated and readily available in a user-friendly format.

(d) An automated job-matching information system that is accessible to employers, job seekers, and other users via the ~~Internet~~ internet, and that includes at a minimum the following:

(i) Skill match information, including skill gap analysis; resume creations; job order creation; skill tests; job search by area, employer type, and employer name; and training provider linkage.

(ii) Job market information based on surveys, including local, state, regional, and national, ~~and international~~ occupational and job availability information.

(iii) Service provider information, including education and training providers, child care facilities and related information, health and social service agencies, and other providers of services that would be useful to job seekers.

\* \* \*

C. The council shall designate the ~~commission~~ department as the agency to coordinate the development and implementation of the system and to maintain the system. In the development and maintenance of the system, the ~~commission~~ department may use existing data collection systems operated by it, and to the extent appropriate, establish electronic linkages to access data in the management information systems operated by other departments or offices of state government. It shall be readily available for public access through a variety of media, including the ~~Internet~~ internet.

\* \* \*

E.

\* \* \*

(2) The public entities whose data and assistance shall be considered necessary for the system to fulfill its purpose shall include the ~~commission~~ department, Louisiana Economic Development, and the Departments of Education, Health, Public Safety and Corrections, Social Services, and Veterans Affairs, and in the governor's office, the Offices of Elderly Affairs, Lifelong Learning, Women's Services, ~~and Workforce Development~~, and the State Board of Elementary and Secondary Education, and the Board of Regents and any other public entity that the ~~commission~~ department deems necessary.

§74. ~~Consumer~~ Customer information

For the ~~consumer~~ customer information component of the system, there shall be a user-friendly formatted inventory of available training opportunities and, to the extent possible, employment opportunities. This component of the system shall be available for access on the ~~Internet~~ internet.

§75. ~~Report card~~ Data dashboard; data exchange agreements; data distribution; personal identification prohibited

A. For the ~~report card~~ data dashboard information component of the system, there shall be user-friendly formatted, objective factual performance information on training programs, including statistical information on ~~placement rates~~ employment outcomes, and other relevant data.

B. For the purpose of facilitating the objectives of this Part, public and private agencies engaged in, or responsible for, workforce development activities shall enter into interagency reciprocal data exchange agreements. Such agreements shall provide for automated record linkage and follow-up. To facilitate this process, each agency with workforce development data shall assign to each individual receiving its services a ~~unique identifier~~ a Social Security number, unless prohibited by federal law to be used to link disparate data bases.

C.(1) Interagency data shall be distributed in a protected and secure manner and in such a way so as not to permit the personal identification of any individual. If data is exchanged electronically ~~on magnetic media~~, individually identifiable and firm-specific information shall be encrypted. Individually identifiable and firm-specific information shall be unencrypted during the file linkages performed in the computer systems' core memory. While in the possession of other agencies, all files containing personally identifiable and firm-specific information shall be stored in a secure environment and accessed by authorized personnel only.

\* \* \*

D.

\* \* \*

1           (3)(a) Any such data, as provided in this Subsection, that is released to any  
2           state agency or any contractor acting on behalf of a state agency pursuant to this  
3           Subsection, may be released on a reimbursable basis and shall be used exclusively  
4           for execution of intended public duties. Such data shall not, under any circumstance,  
5           be accessed and used for any other purpose, subject to sanction of violators as  
6           provided for in Subparagraph (c) of this Paragraph. The administrator and the office  
7           of unemployment insurance administration shall not be liable for any violation by  
8           any employee of the ~~commission~~ department, council, division of administration, or  
9           any contractor working on behalf of either agency, provided their receipt of such  
10          information was in accordance with the provisions of this Subsection.

11          (b) Any such data, as provided in this Section, that is received by any state  
12          agency or any contractor acting on behalf of a state agency pursuant to this  
13          Subsection, ~~must~~ shall be destroyed within thirty days following the completion of  
14          its intended purpose as described in this Section.

15          (c) Any person who violates any provision of this Section shall be fined not  
16          less than one thousand dollars nor more than ten thousand dollars or imprisoned for  
17          not less than thirty days nor more than six months, or both.

18          E. This component of the system shall be developed so that it may be  
19          available for access on the ~~Internet~~ internet.

20          §76. Forecasting

21          A. For the forecasting information component of the system, there shall be  
22          information on projected workforce growth<sub>2</sub> ~~and~~ job growth<sub>2</sub> and demand. The  
23          workforce<sub>2</sub> ~~and~~ job growth<sub>2</sub> and demand information shall also reflect occupational  
24          information related to those targeted cluster industries identified by Louisiana  
25          Economic Development.

26          B.(1) The information provided on the projected workforce growth shall  
27          include the number of individuals employed and ~~the number of~~ information on the  
28          individuals able and available for employment at present and projected at a future  
29          date certain, both statewide and by geographic regions.

1           (2) Occupational information ~~on targeted cluster industries~~ shall include  
2           ~~occupational~~ occupations within ~~requirements for those industries~~, training and  
3           education levels required ~~for those occupations~~, and salary information.

4           C.(1) For the purpose of projecting job growth and demand, the  
5           Occupational Forecasting Conference is hereby established as a committee of the  
6           council. The conference shall develop official information regarding the statewide  
7           and regional workforce development needs of current, new, and emerging industries  
8           as the council determines is necessary for both state and regional workforce  
9           development system planning processes and state planning and budgeting. The  
10          information, using quantitative and qualitative research methods, shall include at  
11          least short-term and long-term forecasts of employment demand for jobs by  
12          occupation and industry; current entry and average ~~wage~~ wages ~~forecasts~~ for those  
13          occupations; and estimates of the supply of trained and qualified individuals  
14          available for employment in those occupations, with special focus upon those  
15          occupations and industries which require high skills and have ~~high entry wages and~~  
16          ~~previous experience wage levels~~ higher than average entry wages and high median  
17          and experienced wages. In the development of workforce estimates, the conference  
18          shall use, to the fullest extent possible, local occupational and workforce forecasts  
19          and estimates.

20          (2) The conference shall review data concerning the local and regional  
21          demands for short-term and long-term employment primarily in ~~high-skills/high-~~  
22          ~~wage~~ high-skills or high-wage jobs, as well as other jobs, ~~which data is generated~~  
23          ~~through surveys conducted as part of the state's Internet-based job matching and~~  
24          ~~labor market information system~~. The conference shall consider such data in  
25          developing its forecasts for statewide employment demand, including reviewing the  
26          local and regional data for common trends and conditions among localities or regions  
27          which may warrant inclusion of a particular occupation on the statewide  
28          occupational forecasting list developed by the conference. Based upon its review of  
29          such survey data, the conference shall also make recommendations semiannually to

1 the ~~commission~~ Workforce Investment Council on additions or deletions to lists of  
2 locally targeted occupations.

3 \* \* \*

4 (8)(a) A final report of the top future growth and demand jobs, statewide and  
5 by region, and the skills necessary to fill such jobs shall be made available for access  
6 on the internet and noted in the Louisiana Register as available on the internet. ~~Such~~  
7 ~~report shall also be available for purchase by private parties for the costs of~~  
8 ~~reproduction.~~ The conference, in coordination with the council, should determine  
9 a strategy for promoting and disseminating the final report to the appropriate  
10 stakeholder groups as determined by the council.

11 \* \* \*

12 §78. Workforce information systems

13 The ~~commission~~ department shall implement, subject to legislative  
14 appropriation, automated information systems that are necessary for the efficient and  
15 effective operation and management of the workforce development system. These  
16 information systems shall include but not be limited to the following:

17 (1) An integrated management system for the one-stop service delivery  
18 system, which includes, at a minimum, common registration and intake, screening  
19 for needs and benefits, case ~~planning~~ management and tracking, training benefits  
20 management, service and training provider management, performance reporting,  
21 executive information and reporting, and customer-satisfaction tracking and  
22 reporting.

23 \* \* \*

24 (5) The ~~commission~~ department may procure independent verification and  
25 validation services associated with developing and implementing any workforce  
26 information system.

27 \* \* \*

28 §1600. Benefit eligibility conditions

1           An unemployed individual shall be eligible to receive benefits only if the  
2 administrator finds that:

3   \*           \*           \*

4           (2)(a) ~~He~~ The individual has done both of the following:

5           (i) Registered for work at; and

6           (ii) ~~thereafter has continued~~ Continued to report in accordance with such  
7 regulations ~~as the administrator may prescribe~~ prescribed by the administrator.

8           (b) The administrator may, by regulation, waive or alter either or both of the  
9 requirements of this Section as to such types of cases or situations with respect to  
10 which he finds that compliance with such requirements would be oppressive, or  
11 would be inconsistent with the purposes of this Chapter; but no such regulation shall  
12 conflict with R.S. 23:1591.

13          (3)(a) ~~He is~~ The individual meets all of the following:

14          (i) ~~able~~ Able to work;;

15          (ii) ~~available~~ Available for work;; and

16          (iii) ~~is conducting an active search for~~ Actively seeking work.

17   \*           \*           \*

18          §1693. Assignment of benefits; exemption of benefits from levy or execution;  
19 deduction for support; deduction for overissuance of ~~food stamps~~ SNAP  
20 benefits

21   \*           \*           \*

22          I.(1) ~~Upon and subject to implementation by the United States Department~~  
23 ~~of Agriculture and agreement with the Louisiana Department of Children and Family~~  
24 ~~Services for and on behalf of the state food stamp program, the administrator of the~~  
25 ~~office of employment security shall develop the procedure for reimbursement of all~~  
26 ~~related administrative costs of any and all performed activities by the office of~~  
27 ~~employment security under this Subsection attributable to the repayment of~~  
28 ~~uncollected overissuance of food stamp allotments:~~

1 (a) An individual filing a new claim in the state for unemployment  
2 compensation shall, at the time of filing such claim, disclose whether he owes an  
3 uncollected overissuance of ~~food stamp coupons~~ Supplemental Nutrition Assistance  
4 Program benefits herein referred to as "SNAP benefits", as defined in Section  
5 13(c)(1) of the Food Stamp Act of 1977, 7 U.S.C. 2022(c)(1). ~~The administrator~~  
6 ~~shall notify the Louisiana Department of Children and Family Services, or its~~  
7 ~~designated office, of any individual who discloses that he owes any food stamp~~  
8 ~~overissuance and who is determined to be eligible and qualified for unemployment~~  
9 ~~compensation.~~

10 (b) The administrator shall deduct and withhold from any unemployment  
11 compensation payable to an individual who owes an uncollected overissuance of  
12 ~~food stamps~~ SNAP benefits:

13 (i) Any amount specified by the individual to the administrator to be  
14 deducted and withheld under this Subsection ~~if the administrator also receives~~  
15 ~~confirmation from the Louisiana Department of Children and Family Services that~~  
16 ~~there has been an enforceable determination of overissuance.~~

17 (ii) Any amount determined pursuant to an agreement, if any, between the  
18 individual and ~~the Louisiana Department of Children and Family Services under~~  
19 Louisiana Works pursuant to Section 13(c)(3)(A) of the Food Stamp Act of 1977, 7  
20 U.S.C. 2022(c)(3)(A).

21 (iii) Any amount otherwise required to be deducted and withheld under an  
22 enforceable court order or garnishment pursuant to Section 13(c)(3)(B) of the Food  
23 Stamp Act of 1977, 7 U.S.C. 2022 (c)(3)(B).

24 (2) Any amount deducted and withheld ~~under~~ pursuant to this Subsection  
25 shall be paid by the administrator unemployment insurance program to the ~~Louisiana~~  
26 ~~Department of Children and Family Services, or its designated office~~ SNAP  
27 program.

28 (3) Any amount deducted and withheld from payable benefits ~~under~~ pursuant  
29 to this Subsection shall for all purposes be treated as if it were paid to the individual

1 as unemployment compensation and paid by such individual to ~~the Louisiana~~  
2 ~~Department of Children and Family Services~~ as repayment of the uncollected  
3 overissuance of food stamp allotments SNAP benefits.

4 \* \* \*

5 J.(1) If a claimant is eligible to receive any temporary federal emergency  
6 increase in unemployment compensation benefits in addition to the maximum  
7 weekly benefit amounts established in R.S. 23:1474 or any additional federal base  
8 benefit, the claimant, when filing a claim for state unemployment compensation  
9 benefits, may submit to withholding of state income taxes at a rate of four percent.  
10 ~~The Louisiana Workforce Commission~~ Louisiana Works shall electronically report  
11 and remit to the Department of Revenue in the same manner as an "employer" as that  
12 term is defined in R.S. 47:111 and required by R.S. 47:114.

13 (2) ~~The Louisiana Workforce Commission~~ Louisiana Works in consultation  
14 with the Department of Revenue shall promulgate rules and regulations for the  
15 implementation and administration of this Subsection.

16 \* \* \*

## 17 CHAPTER 11-B. SOCIAL SERVICE PROGRAMS

### 18 PART I. ORGANIZATION

#### 19 §1821. Field offices; duties

20 A. There shall be in each parish of the state a field office of the department.  
21 The department may unite two or more parishes and form a district office. All duties  
22 and responsibilities set forth in this Chapter for field offices shall also apply to the  
23 district offices.

24 B. Under rules and regulations of the department, the field and district  
25 offices shall administer all forms of public assistance within the department's  
26 purview in respective parishes.

#### 27 §1822. Healthcare records; copies

28 A. The healthcare provider shall furnish to the claimant, the person  
29 appointed to represent the claimant in his dealings with the Social Security

1        Administration, or an agent with written authorization made pursuant to 45 CFR  
2        164.508, upon request, a copy of any records that are necessary to support his filing  
3        for social security disability benefits or supplemental security income benefits under  
4        any provision of the Social Security Act. The cost of each photocopy shall not  
5        exceed fifty cents per page for the first five pages and twenty-five cents for each  
6        additional page except that the amount due shall not be less than the amount paid by  
7        Louisiana Works for such copies. Payment for any copies made in connection with  
8        disability determinations shall be made to the healthcare provider's agent instead of  
9        the healthcare provider when the agent makes the copies.

10        B. If a copy of the record is not provided within a reasonable period of time,  
11        not to exceed fifteen days following the receipt of the request and written  
12        authorization, and production of the record is obtained through a court order or  
13        subpoena duces tecum, the healthcare provider shall be liable for reasonable attorney  
14        fees and expenses incurred in obtaining the court order or subpoena duces tecum.  
15        Such sanctions shall not be imposed unless the person requesting the copy of the  
16        record has, by certified mail, notified the healthcare provider of his failure to comply  
17        with the original request, by referring to the sanctions available, and the healthcare  
18        provider fails to furnish the requested copies within five days from receipt of the  
19        notice. Except for his own gross negligence, the healthcare provider shall not  
20        otherwise be held liable in damages by reason of his compliance with the request or  
21        his inability to fulfill the request.

22        §1823. Other records to be public records

23        The financial and all other records of the state department and the field and  
24        district offices, except those pertaining to individual recipients of assistance, as  
25        provided for in R.S. 46:56, are specifically made subject to the provisions of Title  
26        44. of the Louisiana Revised Statutes of 1950.

27        §1824. Preservation of records

1           A. Fiscal records of the department relating to public assistance shall not be  
2           destroyed until the proper state and federal agencies have completed their respective  
3           audits and approved the destruction of the records.

4           B. The department shall preserve all such departmental records for three  
5           years or until all useful purposes have been served, whichever is longer.

6           C. To reduce the space required for retaining obsolete files, the secretary  
7           may destroy or order destroyed all files of documents as provided for in R.S. 44:39,  
8           when, in his opinion, the requirements of the department have been served.

9           D. Public assistance recipient cancelled checks may be destroyed upon  
10          complying with all of the following conditions:

11           (1) Completion of audit by the state and federal auditors.

12           (2) Digital preservation of the copy of the cancelled check for a period of at  
13          least six years.

14           (3) Approval by the secretary.

15          §1825. Transfer of appropriations to the department by other state agencies, public  
16          or private entities; procedure; purpose; expenditures

17          A. Any state agency may, with the approval of the division of administration,  
18          transfer to the department any portion of its appropriation that may be available for  
19          federal matching funds in accordance with any program established by the  
20          department for public assistance purposes.

21          B.(1) The funds collected or collectible during each fiscal year by the  
22          department pursuant to the authority of this Section from a state agency and the  
23          United States of America shall be deposited in a special account in the state treasury  
24          to the credit of the state agency that transferred a portion of its appropriation to the  
25          department for the purpose of seeking matching funds from the United States of  
26          America. The funds thus credited shall be available for use by the state agency for  
27          the purposes of all of the following:

1           (a) Employing necessary personnel and for other expenses incurred in  
2           connection with the proper administration of the collection or acquisition of such  
3           funds by the state agency from the federal government or any agency thereof.

4           (b) Purchasing new equipment for use by the state agency.

5           (c) Making major repairs at any facility owned by the state agency.

6           (d) Operating expenses and maintenance of any facility owned by the state  
7           agency.

8           (e) Any purpose authorized by law.

9           (2) Any funds remaining unexpended and unencumbered in the special  
10          account at the end of each fiscal year shall be retained in the special account.

11          C. Expenditures to be made pursuant to the authority of this Section shall be  
12          made only upon approval of the secretary of the other state department, the secretary  
13          of the department, and the division of administration, and otherwise shall be subject  
14          to the laws and regulations relating to budgeting by state agencies and the budgetary  
15          controls provided for by Title 39 of the Louisiana Revised Statutes of 1950, as  
16          amended, insofar as the laws and regulations are not inconsistent with the purposes  
17          of this Section.

## 18                           PART II. RULES AND REGULATIONS

19          §1831. Maximum assistance grants; legislature to approve increases or decreases

20           The department shall not increase the regular maximum grant for any  
21          category of public assistance over and above that was authorized by law or by rules  
22          and regulations of the former State Department of Public Welfare in effect on July  
23          1, 1961, if any portion of the increase is payable out of state funds, without  
24          legislative approval. Such legislative approval shall be obtained only in one of the  
25          following ways:

26           (1) By a vote of a majority of the elected members of each house obtained  
27          while the legislature is in session.

28           (2) If the legislature is not in session, by a vote of a majority of the elected  
29          members of each house obtained by mail ballot duly certified and promulgated by

1        the commissioner of administration. The proposal to be submitted to the members  
2        of the legislature shall be prepared by the commissioner of administration from  
3        information furnished by the department, and he shall immediately thereafter  
4        distribute the ballots to the members, together with instructions that all ballots shall  
5        be returned to him within thirty days after the date when the ballots were mailed in  
6        order to be counted. The commissioner of administration shall tabulate all ballots  
7        received within the thirty-day period and promulgate the results thereof, and he shall,  
8        immediately upon completion of his tabulation, notify the secretary of the results.

9        §1832. Applications for assistance

10        Applications for assistance shall be in writing and in the manner designated  
11        and upon the form prescribed by the department.

12        §1833. Investigation of application

13        Whenever a field office receives an application for assistance, an  
14        investigation and record shall promptly be made of the circumstances of the  
15        customer. The object of the investigation shall be to ascertain the facts supporting  
16        the application and any other information required by the rules and regulations of the  
17        department.

18        §1834. Grant of assistance

19        A. Upon the completion of the investigation, the department shall decide  
20        whether the customer is eligible for assistance and shall determine the amount and  
21        the date which assistance begins. The department shall make an award which shall  
22        be binding until the award is modified or vacated. The department shall notify the  
23        applicant of its decision in writing.

24        B. All grants of assistance shall be mailed to reasonably ensure that the  
25        grants will be received on the date due. If the due date falls on a weekend or a  
26        holiday, then the grant shall be mailed to reasonably ensure its receipt on the last  
27        regular banking date immediately preceding the due date.

28        §1835. Periodic reconsideration of assistance grants

1           A. All assistance grants shall be reconsidered as frequently as may be  
2           required by the rules of the department. After such further investigation as the field  
3           office may deem necessary, or the department may require, the amount and manner  
4           of giving assistance may be changed or assistance may be entirely withdrawn if the  
5           department or field office finds that the customer's circumstances have altered  
6           sufficiently to warrant the action.

7           B. The field office may at any time cancel and revoke assistance for cause  
8           and it may for cause suspend assistance for such period as it may deem proper.  
9           Whenever assistance is withdrawn, revoked, suspended, or in any way changed, the  
10          field office shall at once report to the department the decision together with the  
11          report of its investigation. All decisions shall be subject to review by the  
12          department.

13          §1836. Assistance not assignable

14                 All assistance shall be inalienable by any assignment or transfer and shall be  
15                 exempt from levy or execution under the laws of this state.

16          §1837. Fraud in obtaining assistance; withholding information concerning property,  
17                 income, or beneficiary, or personal circumstances

18                 A. No person shall obtain or attempt to obtain assistance from Louisiana  
19                 Works by means of any false statement, misrepresentation, or other fraudulent  
20                 device. If during the life, or upon the death, of any person who is receiving or has  
21                 received assistance it is found that the customer is receiving or has received  
22                 assistance through misrepresentation, nondisclosure of material facts, or other  
23                 fraudulent device, the amount of assistance, without interest, shall be recoverable  
24                 from him or his estate as a debt due the state by court action.

25                 B.(1) If at any time during the continuance of public assistance to any  
26                 person, the customer thereof, or the spouse of the customer with whom he or she is  
27                 living with, is in possession or becomes in possession of any property or income in  
28                 excess of the amount declared at the time of application or reinvestigation of his case  
29                 and in such amount as would affect his needs or right to receive assistance, it shall

1 be the duty of the customer, or the spouse of the customer, to notify the department  
2 of possession of such property or income, and the department shall, after  
3 investigation, either cancel the assistance or alter the amount thereof in accordance  
4 with the circumstances, provided, that such investigation shows that such property  
5 or income does affect the need of the customer or his right to receive assistance.

6 (2) If during the life, or upon the death, of any person who is receiving or has  
7 received assistance it is found that the customer or his spouse was in possession of  
8 any property or income in excess of the amount reported that would affect his need  
9 or right to receive assistance, any assistance paid when the customer or his spouse  
10 was in possession of such undeclared property or income shall be recoverable,  
11 without interest, from him or his estate as a debt due the state by court action. The  
12 possession of undeclared property by a customer or his spouse with whom he is  
13 living shall be prima facie evidence of its ownership during the time assistance was  
14 granted, and the burden to prove otherwise shall be upon the customer or his legal  
15 representative.

16 C.(1) If the personal circumstances of the customer change at any time  
17 during the continuance of assistance, he shall immediately notify the department of  
18 the change. Personal circumstances shall include:

- 19 (a) The members of the household.  
20 (b) The place of residence of the customer.  
21 (c) The establishment of a legal or nonlegal union by the customer.  
22 (d) The failure of a child between the ages of sixteen and eighteen years,  
23 who is receiving aid to dependent children, to attend school regularly.

24 (2) If during the life, or upon the death, of any person who is receiving  
25 assistance it is found that the customer has received or is receiving assistance of a  
26 greater amount than he is entitled to receive as a result of his failure to notify the  
27 department of a change of personal circumstances as provided in this Subsection, any  
28 assistance paid during the time that the customer was receiving assistance of a  
29 greater amount than he was entitled to receive as a result of his failure to notify the

1 department shall be recoverable, with legal interest, from him or his estate as a debt  
2 due the state by court action.

3 D. The federal government shall be entitled to share in any amount recovered  
4 pursuant to the provisions of this Section. However, the amount recovered by the  
5 federal government shall not exceed the amount contributed by the federal  
6 government in each case. The amount due to the United States shall be promptly  
7 paid or credited upon collection to the designated agency of the federal government  
8 by the department.

9 E.(1) Persons receiving benefits under SNAP or TANF, or a successor of  
10 either program, who have been determined by Louisiana Works in an administrative  
11 hearing, or a court of competent jurisdiction after final appeal, to have fraudulently  
12 obtained such SNAP benefits or TANF assistance, or benefits or assistance from a  
13 successor of either program, shall be ineligible for further participation in the  
14 program in accordance with the following schedule:

15 (a) For a period of six months upon the first occasion of such determination.

16 (b) For a period of one year upon the second occasion of such determination.

17 (c) Permanently upon the third occasion of such determination.

18 (2) During the period of ineligibility, no household shall receive increased  
19 benefits under those programs as a result of being disqualified pursuant to this  
20 Subsection.

21 §1838. Public Assistance Fraud Hot-Line

22 To encourage the reporting of incidents of public assistance fraud, Louisiana  
23 Works, through its fraud detection section, shall provide a statewide, toll-free  
24 telephone service, known as the Public Assistance Fraud Hot-Line, when sufficient  
25 funds are made available by the legislature for such purpose, or when funds are  
26 available from any other source.

27 §1838.1. Attempting or aiding to obtain assistance fraudulently; penalties

28 Any person who obtains or attempts to obtain or aids and abets anyone to  
29 obtain assistance from the department by means of any false statement,

1 misrepresentation, or other fraudulent device or violates the provisions of R.S.  
2 23:1837 shall be guilty of theft as provided by R.S. 14:67.

3 §1838.2. Regional fraud detection units; investigative subpoenas and subpoenas  
4 duces tecum

5 A. Louisiana Works shall establish, maintain, and provide for fraud detection  
6 functions in order to detect fraud in obtaining public assistance through staff in each  
7 region of the state. Each fraud detection unit shall report each incident of public  
8 assistance fraud to the fraud detection section on a monthly basis by the tenth day of  
9 each succeeding month. An annual report of the activities of all fraud detection units  
10 within a state fiscal year shall be submitted by the fraud detection section to the  
11 Senate and House committees on labor and industrial relations by September first.

12 B.(1) When the secretary of Louisiana Works, or his designee, has evidence  
13 that any person, business, or other legal entity attempted to obtain or obtained  
14 assistance or payment for services or goods from the department by means of any  
15 false statement, misrepresentation, or other fraudulent device, the secretary or the  
16 designated representative may issue an administrative investigation subpoena for  
17 deposition testimony or a subpoena duces tecum to be served upon any person,  
18 business, or other legal entity who is believed to have information, material, or  
19 physical evidence relative to the alleged or suspected violation, for the purpose of  
20 producing, revealing, identifying, or explaining documentary material or other  
21 physical evidence.

22 (2)(a) The deposition or return of subpoena shall take place in the parish in  
23 which the person, business, or other legal entity upon whom the subpoena has been  
24 served resides or conducts business.

25 (b) The subpoena shall be served by certified mail, return receipt requested,  
26 or by any other means authorized by the Code of Civil Procedure or the Code of  
27 Criminal Procedure for the service of process.

1           (c) The subpoena shall specify a return date indicating the date by which  
2           deposition testimony or information, material, or physical evidence shall be received  
3           by the department.

4           C. At any time before the return date specified in the administrative  
5           investigation subpoena or subpoena duces tecum or within twenty days after the  
6           subpoena or subpoena duces tecum has been served, whichever is earlier, a petition  
7           stating good cause for a protective order to extend the return date, or to modify or set  
8           aside the subpoena, may be filed in the district court having civil jurisdiction in the  
9           parish where the person, business, or other legal entity served with the subpoena  
10          resides or where the principal place of business is located.

11          D. If no protective order from the court is secured and the investigative  
12          subpoena or subpoena duces tecum is not complied by the return date, an attorney  
13          for the department may apply to the district court having civil jurisdiction in the  
14          parish where the person, business, or other legal entity served resides or where the  
15          principal place of business is located for an order compelling compliance with the  
16          subpoena or subpoena duces tecum. Any disobedience of an order compelling  
17          compliance shall be punished as a contempt of court.

18          §1838.3. Fraud Detection Fund

19          A. The Fraud Detection Fund, herein referred to as the "fund", is hereby  
20          created in the state treasury as a special fund.

21          B. All monies recovered through fraud detection shall be deposited into the  
22          state treasury after reimbursement of the federal funding agency's share.

23          C.(1) After compliance with the requirements set forth in Article VII,  
24          Section 9(B) of the Constitution of Louisiana relative to the Bond Security and  
25          Redemption Fund, and prior to monies being placed in the state general fund, the  
26          following amounts shall be credited to the fund:

27               (a) An amount equal to that deposited as required by Subsection B of this  
28               Section.

29               (b) An amount equal to that deposited in accordance with R.S. 23:1882.8(G).

1           (2) The monies in this fund shall be used solely as provided by Subsection  
2           D of this Section and only in the amounts appropriated by the legislature. The  
3           monies in this fund shall be invested by the state treasurer in the same manner as  
4           monies in the state general fund, and interest earned on the investment of these  
5           monies shall be credited to this fund, in accordance with the requirements set forth  
6           in Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond  
7           Security and Redemption Fund.

8           D. The monies in the fund may be appropriated by the legislature to  
9           Louisiana Works, for the enhancement of fraud detection and recovery activities in  
10          an amount not to exceed the balance on hand in the fund at the end of the previous  
11          calendar year. These funds shall not be used to replace, displace, or supplant state  
12          general funds appropriated for the daily operation of any regional fraud detection  
13          activities of Louisiana Works.

14          E. All unexpended and unencumbered monies in the fund at the end of each  
15          fiscal year shall remain in the fund to the credit of Louisiana Works.

16          §1839. Application; terms mandatory

17          The terms of this Chapter in relation to the parishes and the field offices shall  
18          be mandatory.

19          §1840. Prima facie proof of pleadings

20          A. Pleadings filed on behalf of Louisiana Works in actions to recover the  
21          value of ineligible public financial assistance payments or benefits shall be  
22          accompanied by an itemized statement of the amount of overissuance or  
23          overpayment together with the amount that the customer was entitled to, if any.

24          B. The itemized statement shall be accepted as prima facie proof of the  
25          disbursement and receipt of payments and the amount thereof, if it is accompanied  
26          by an affidavit signed by the assistant secretary of the office administering the  
27          payments and benefits. The affidavit shall correctly and accurately reflect the facts  
28          to the best of the affiant's knowledge and belief.

29                   PART III. SOCIAL SERVICES PROGRAMS

1                    SUBPART A. SNAP NUTRITION EDUCATION

2            §1851. Legislative findings; Supplemental Nutrition Assistance Program  
3                    educational component; reporting requirements

4            A. The legislature finds and declares the following:

5                    (1) The program formerly known as "food stamps" was renamed the  
6                    Supplemental Nutrition Assistance Program (SNAP) in October 2008. SNAP is  
7                    administered at the federal level by the United States Department of Agriculture  
8                    Food and Nutrition Service (FNS) and at the state level by Louisiana Works, herein  
9                    referred to as the "department".

10                    (2) SNAP is the cornerstone of the federal food assistance programs and  
11                    provides crucial support to needy households and to those making the transition from  
12                    public assistance to work.

13                    (3) By federal policy, SNAP benefits may be used only for the purchase of  
14                    nonalcoholic beverages and food which is not hot at the point of sale and may not be  
15                    used to purchase any nonfood items.

16                    (4) The population of Louisiana has historically encompassed one of the  
17                    highest proportions of SNAP customers in the nation.

18                    (5) Federal regulations allow states to administer educational services within  
19                    SNAP. These services are known as SNAP Education and are designed to teach food  
20                    budgeting, proper nutrition, and healthy food choices to SNAP customers.

21                    (6) It is the public policy of this state to support basic health, human welfare,  
22                    education, and self-sufficiency among its most vulnerable citizens. Effective  
23                    educational efforts, including nutrition education, are necessary for this state to  
24                    promote better health and break its historic cycle of generational poverty.

25                    (7) A nurturing family affords a child his best opportunity to enjoy lifelong  
26                    health and well-being. Therefore, any program that promotes better health for  
27                    children must encourage family strengthening and greater parental involvement in  
28                    the lives of their children if the program is to fulfill its purpose.

1           B. In addition to any SNAP Education services conducted by contractors of  
2           the department, the department shall provide printed nutrition education resource  
3           materials directly to the heads of all SNAP beneficiary households. The department  
4           may develop or utilize materials at its discretion in order to satisfy the provisions of  
5           this Subsection, provided that the materials include the Core Nutrition Messages, or  
6           any successor resources, developed by FNS. The department shall provide such  
7           materials to every head of a SNAP beneficiary household at the following intervals:

8                   (1) At the first issuance of a SNAP electronic benefits transfer card  
9                   subsequent to the initial determination of eligibility.

10                   (2) In the first correspondence from the department subsequent to a  
11                   redetermination of eligibility.

12                   (3) Any interval that the department deems advantageous and feasible.

13           C. In administering the SNAP Education program of this state, the  
14           department and all subcontractors and affiliates of such program shall:

15                   (1) Utilize the Core Nutrition Messages, or any successor resources,  
16                   developed by FNS.

17                   (2) Coordinate outreach and educational efforts to the greatest possible  
18                   extent with those of the Women, Infants, and Children Program, herein referred to  
19                   as "the (WIC) Program", of this state.

20           D. On or before March first annually, the department shall submit to the  
21           House and Senate committees on labor and industrial relations a comprehensive  
22           report on the SNAP Education program. The report shall include but not be limited  
23           to the following items:

24                   (1) Analysis and commentary on major health challenges faced by low-  
25                   income Louisiana families.

26                   (2) Data on SNAP Education customers, including a description of the ideal  
27                   target population, actual number of customers served, geographic distribution of  
28                   customers, and customer demographics.

1           (3) A description of program operations, including details on the selection  
2           of customers, service delivery, and activities conducted by all SNAP Education  
3           program contractors and subcontractors.

4           (4) A description of any partnership with the WIC Program and efforts  
5           undertaken in collaboration with that program.

6           (5) Analysis of program outcomes and other significant impacts on SNAP  
7           Education service customers.

8           (6) Public policy recommendations for enhancing the SNAP Education  
9           program and for supporting better health and nutrition generally among low-income  
10          families of this state.

11          SUBPART B. SNAP WORKFORCE TRAINING AND EDUCATION

12                           PROGRAM

13          §1861. Findings

14           The legislature hereby finds and declares the following:

15           (1) It is the policy of the state to encourage self-sufficiency so that  
16           Louisianians may reduce dependence on public assistance benefits to meet basic  
17           needs and become economically self-reliant.

18           (2) The Supplemental Nutrition Assistance Program (SNAP), formerly  
19           known as "food stamps", provides crucial support to needy households and persons  
20           making the transition from public assistance to work.

21           (3) Pursuant to the federal Food Security Act of 1985, states are required to  
22           provide employment and job training services to SNAP customers who are not  
23           exempt from the mandatory work registration requirements of the program.

24           (4) Federal regulations, 7 CFR 273.24, limit the duration of receipt of SNAP  
25           benefits by nonworking, able-bodied adults without dependents who do not qualify  
26           for certain exemptions to a total of three months in any three-year period. However,  
27           states may submit to the federal government applications, commonly known as  
28           "waivers", to have this three-month limit waived. If approved, such waivers allow  
29           able-bodied, nonworking, nonexempt adults to receive SNAP benefits for an

1 unlimited duration if those persons meet other eligibility standards of the program.

2 Nationally, waivers of this type have become the standard in SNAP rather than the  
3 exception, as forty states and territories, including Louisiana, had a statewide or  
4 territory-wide waiver in effect and six other states and territories had a partial-state  
5 or partial-territory waiver in effect as of January 1, 2014.

6 (5) When coordinated and delivered in an effective manner, workforce  
7 training services for public assistance customers can be of great value to persons who  
8 desire to become self-sufficient and to businesses that strive for greater  
9 competitiveness through employing an improved workforce.

10 §1862. Definitions

11 As used in this Subpart, the following terms have the meaning ascribed to  
12 them in this Section:

13 (1) "ABAWD" means an able-bodied adult without a dependent who  
14 receives SNAP benefits.

15 (2) "Customer" means a recipient of SNAP benefits who participates in the  
16 program provided for in this Subpart.

17 (3) "Department" means Louisiana Works.

18 (4) "FNS" means the Food and Nutrition Service of the United States  
19 Department of Agriculture, the office of the federal government that administers  
20 SNAP.

21 (5) "Program" means the workforce training and education program provided  
22 for in this Subpart.

23 (6) "SNAP" means the Supplemental Nutrition Assistance Program  
24 administered at the federal level by the Food and Nutrition Service of the United  
25 States Department of Agriculture and at the state level by Louisiana Works.

26 §1863. Goals

27 The goals of the program shall include, without limitation, the following:

28 (1) To provide incentives that are demonstrably effective in helping SNAP  
29 beneficiaries achieve financial self-sufficiency.

1           (2) To connect employers to job candidates who possess requisite skills so  
2           that workforce needs, especially for in-demand occupations, are readily met.

3           (3) To provide support to SNAP customers who choose to further their  
4           education.

5           (4) To yield a model for incentivizing training and education for public  
6           assistance customers that can be replicated throughout the state.

7           §1864. Workforce training and education program; creation; functions

8           A. A workforce training and education program is hereby created within  
9           SNAP for the purpose of improving employment opportunities for nonworking  
10          SNAP customers and enhancing workforce readiness. The department shall  
11          administer the program in accordance with the provisions of this Subpart.

12          B. The department shall establish the program in a parish with a population  
13          of more than one hundred thousand and less than one hundred fifty thousand  
14          according to the latest federal decennial census and in which is located the main  
15          campus of a public four-year college or university.

16          C. Customers to be served by the program shall include, exclusively, all  
17          ABAWDs residing in the parish who are not exempted by any federal or state policy,  
18          other than through a waiver of such a policy, from the limitation on SNAP benefits  
19          established pursuant to 7 CFR 273.24.

20          D.(1) As a necessary precondition for implementing the program, the  
21          department shall ensure that the limitation on duration of receipt of SNAP benefits  
22          by nonexempt ABAWDs provided in 7 CFR 273.24 is effective in the parish in  
23          which the program is established.

24          (2) If nonexempt ABAWDs in the parish in which the program is established  
25          are not subject to any limitation on duration of eligibility for receipt of SNAP  
26          benefits as a result of a waiver granted to the state by FNS, then the department shall  
27          cause the waiver to be rescinded, cancelled, or otherwise rendered null and without  
28          effect for that parish.

1           (3) Nothing in this Subsection shall be construed to require or prohibit the  
2           continuation or cancellation of any waiver granted to the state by FNS in any parish  
3           other than the parish in which the program is established.

4           E. As its essential function, the program shall provide to each customer, at  
5           the time of benefits eligibility redetermination, a six-month extension of SNAP  
6           benefits conditioned upon submission of sufficient documentation, as determined by  
7           the department, of any of the following:

8           (1) The customer meets any of the following criteria relative to educational  
9           advancement:

10           (a) In the previous six months, the customer satisfied requirements  
11           established by the department in rule relative to enrollment in an accredited  
12           postsecondary educational institution that grants associate or baccalaureate degrees.

13           (b) In the previous six months, the customer satisfied requirements  
14           established by the department in rule relative to enrollment in an educational  
15           program designed to lead to a high school diploma.

16           (c) In the previous six months, the customer satisfied requirements  
17           established by the department in rule relative to enrollment in a general education  
18           development test preparation course.

19           (d) The customer earned a high school diploma or a general education  
20           development certificate.

21           (2) The customer meets the criteria relative to workforce readiness as  
22           required by the department in rule. Such criteria may include but shall not be limited  
23           to the following:

24           (a) Participating for a specified minimum number of hours in an approved  
25           job-training program.

26           (b) Applying for a specified minimum number of jobs.

27           §1865. Duties of customers

28           Each customer in the program shall do all of the following:

1           (1) At the time of redetermination of eligibility for SNAP benefits, provide  
2           to the department all requested documentation of participation in a workforce  
3           training or education program.

4           (2) Comply with all other requirements for receipt of SNAP benefits as set  
5           forth by the department.

6           §1865.1. Duties of the department

7           A. The department shall submit to FNS applications for any waiver,  
8           exemption, or other formal authorization and any state plan amendment as may be  
9           necessary to implement the program provided for in this Subpart. The submissions  
10          by the department to FNS shall provide for all of the following:

11          (1) Reinstatement in the parish where the program is established of the limit  
12          on receipt of SNAP benefits of three months in a three-year period for ABAWDs.

13          (2) Establishment of benefit extensions in six-month increments for  
14          customers who meet workforce training or education requirements of the program.

15          (3) Any other functions necessary for the department to establish and operate  
16          the program in a manner that conforms with applicable federal and state laws and  
17          regulations.

18          B. The department shall enter into any cooperative endeavor agreements,  
19          contracts, and other arrangements with any other government agency or any  
20          community partner as necessary to ensure adequate availability of workforce training  
21          to customers in the parish where the program is established.

22          C. The department shall institute all departmental policies and procedures  
23          necessary to ensure that the process for SNAP benefits eligibility redetermination in  
24          the parish where the program is established meets all of the following requirements:

25          (1) Eligibility redetermination for each customer occurs no less frequently  
26          than once every six months.

27          (2) Eligibility redetermination for each customer shall include a procedure  
28          for collecting and verifying documentation from the customer of his engagement in  
29          a workforce training or education activity as provided in R.S. 23:1864.

1           D.(1)(a) The department shall transmit notice in writing to all ABAWDs in  
2           the parish where the program is established indicating that continuation of benefits  
3           beyond the three-month limit that is to be reinstated will be conditioned upon  
4           engagement by customers in acceptable workforce training or education activities.

5           (b) The department may transmit to ABAWDs in the parish where the  
6           program is established duplicates of the notice provided for in Subparagraph (a) of  
7           this Paragraph, and may take any other actions it deems necessary to provide  
8           ABAWDs with adequate notification of the changes in SNAP benefits eligibility to  
9           be instituted through the program.

10          (2) The department shall transmit to each customer a form that provides a  
11          clear description of requirements for continuation of benefits eligibility to be  
12          instituted through the program, and a space in which the customer may affirmatively  
13          acknowledge that he understands these requirements.

14          (3) During the operation of the program, the department shall promptly  
15          notify each customer of any decision concerning his eligibility for SNAP benefits  
16          made pursuant to the redetermination process provided for in Subsection C of this  
17          Section.

18          E. The secretary of the department shall promulgate all rules and regulations  
19          in accordance with the Administrative Procedure Act as necessary to implement the  
20          provisions of this Subpart.

21          §1866. Notification to legislative committees; reporting

22          A. The department shall transmit to the members of the House and Senate  
23          committees on labor and industrial relations a written notice that addresses the  
24          purpose and function of the program. The department may transmit the notice  
25          required by this Subsection via electronic mail.

26          B. The department shall annually submit a written report providing a  
27          summary and evaluation of outcomes of the program to the House and Senate  
28          committees on labor and industrial relations. The department may include the report

1 with its submission of any other report pertaining to SNAP, including without  
2 limitation any report required by Subpart A of this Part.

3 §1867. Termination of the program

4 Subject to legislative oversight as provided in the Administrative Procedure  
5 Act, R.S. 49:950 et seq., the department may terminate the program by emergency  
6 rule if the secretary of the department determines that workforce participation  
7 outcomes or educational attainment have not improved to a satisfactory degree as a  
8 result of the program.

9 SUBPART C. SNAP WORK REQUIREMENTS

10 §1871. Findings and intent

11 A. The legislature hereby finds and declares the following:

12 (1) It is the policy of this state to encourage self-sufficiency so that  
13 Louisianians may reduce dependence on public assistance benefits to meet basic  
14 needs and become economically self-reliant.

15 (2) The Supplemental Nutrition Assistance Program (SNAP), formerly  
16 known as "food stamps", provides crucial support to needy households and to  
17 persons making the transition from public assistance to work.

18 (3) Federal regulations provided for in 7 CFR 273.24 limit the duration of  
19 receipt of SNAP benefits by nonworking, able-bodied adults without dependents  
20 (ABAWD) who do not qualify for certain exemptions to a total of three months in  
21 any three-year period. However, states may submit to the federal government  
22 applications, commonly known as "waivers", to have this three-month limit waived.  
23 If approved, such waivers allow able-bodied, nonworking, nonexempt adults to  
24 receive SNAP benefits for an unlimited duration if those persons meet other  
25 eligibility standards of the program. Louisiana has long used these waivers to  
26 exempt the majority of able-bodied adults without dependents from the federal work  
27 requirement.

28 (4) Federal law allows states to exempt up to eight percent of able-bodied  
29 adults from the work requirement without providing any reason whatsoever. These

1       "no-good-cause exemptions" also accumulate and carry over from year to year  
2       without limit. As a policy, Louisiana has not used these "no-good-cause  
3       exemptions". However, because Louisiana has waived the work requirement, there  
4       has been no reason to use these additional exemptions.

5               B. It is the intent of this Subpart to institute a comprehensive, statewide work  
6       requirement for able-bodied adults up to fifty-two years old without any dependents  
7       who receive SNAP benefits in this state.

8       §1872. Supplemental Nutrition Assistance Program work requirements; restriction  
9       on waivers and exemptions

10              A. Unless expressly required by federal law, Louisiana Works shall not seek,  
11       apply for, accept, or renew any waiver of work requirements established by the  
12       Supplemental Nutrition Assistance Program under 7 U.S.C. 2015(o).

13              B. Louisiana Works shall not exercise the state's option to provide any  
14       exemptions from the work requirement under 7 U.S.C. 2015(o)(6)(F).

15                      SUBPART D. AID TO NEEDY FAMILIES

16       §1881. Legislative intent

17              A. It is the intent of the legislature that families in Louisiana be strong and  
18       economically self-reliant so as to minimize their dependence on government benefits  
19       for basic needs. To accomplish this goal, it is the intent of this Subpart that  
20       Louisiana Works ensures that all cash assistance customers, with the exception of  
21       persons with disabilities or who are incapacitated, are actively and universally  
22       engaged in meaningful activities designed to enable their transition from cash  
23       assistance to self-reliance. It is the further intent that cash assistance customers  
24       demonstrate and are expected to exercise active and diligent personal responsibility  
25       in achieving self-reliance through employment and increased workplace literacy. All  
26       appropriate state agencies responsible for employment, training, and educating  
27       Louisiana's citizens are expected to cooperate in the pursuit of this goal.

28              B. Louisiana Works shall submit written reports on the status of  
29       implementation of these provisions to the Performance Review Subcommittee of the

1 Joint Legislative Committee on the Budget annually in March at the same time as the  
2 mid-year performance progress report is submitted as provided in R.S.  
3 39:87.3(A)(2). The written reports shall include but not be limited to, data providing  
4 performance measures assessing the success of performance-based agreements, job  
5 readiness, workplace literacy, job development services, and any additional data  
6 necessary as determined by the committee.

7 §1882. Aid to needy families; definitions

8 As used in this Subpart, unless the context clearly requires otherwise:

9 (1) "Adult paraphernalia store" means an establishment that has as a  
10 substantial or significant portion of its stock clothing, objects, tools, toys, or any  
11 other items distinguished or characterized by their association with sexual activity,  
12 including sexual conduct or sexual excitement.

13 (2)(a) "Amusement attraction" means a movie theater, video arcade, or any  
14 other building, structure, or place principally devoted to activities providing  
15 amusement, pleasure, thrills, or excitement.

16 (b) "Amusement attraction" does not include any enterprise principally  
17 devoted to the exhibition of products of agriculture, industry, education, including  
18 zoos and aquariums, science, religion, sports, or the arts.

19 (3) "Amusement ride" means any mechanized device or combination of  
20 devices that carries passengers along, around, or over a fixed or restricted course for  
21 the purpose of giving its passengers amusement, pleasure, thrills, or excitement.  
22 "Amusement ride" also includes inflatables.

23 (4) "Applicant" means a parent or relative of the parent who applies for  
24 FITAP on behalf of a child.

25 (5) "Automated teller machine" means an electronic hardware device that is  
26 capable of dispensing currency and responding to balance inquiries through the use  
27 of a magnetic stripe card issued by or on behalf of the state for distribution of  
28 assistance through an electronic benefits transfer system as described in this Subpart.

1           (6) "Bail" means security given by a person to assure his appearance, or the  
2           appearance of a third party, before the proper court whenever required.

3           (7) "Bar" means a business that holds a Class A-General retail permit and the  
4           primary purpose of such business is to serve alcoholic beverages for consumption by  
5           guests on the premises and in which the serving of food is only incidental to the  
6           consumption of those beverages. Bars include, without limitation, taverns, saloons,  
7           nightclubs, cocktail lounges, and cabarets.

8           (8) "Cash assistance" means funds that the department provides through the  
9           Family Independence Temporary Assistance Program and the Kinship Care Subsidy  
10           Program to eligible beneficiaries for the purpose of assisting those persons in  
11           meeting ongoing basic needs.

12           (9) "Commercial body art facility" means any location, place, area, or  
13           business, whether permanent or temporary, that provides consumers access to  
14           personal services workers who for remuneration perform any of the following  
15           procedures:

16           (a) Tattooing or inserting pigment under the surface of the skin of a human  
17           being, by pricking with a needle or otherwise, to produce an indelible mark or figure  
18           visible under the skin.

19           (b) Body piercing or the creation of an opening in the body of a human being  
20           for the purpose of inserting jewelry or other decoration. For purposes of this  
21           Subpart, "body piercing" does not include piercing an ear with a disposable, single-  
22           use stud or solid needle that is applied using a mechanical device to force the needle  
23           or stud through the ear.

24           (c) Application of permanent cosmetics or pigments under the skin of a  
25           human being for the purpose of permanently changing the color or other appearance  
26           of the skin, including but not limited to permanent eyeliner, eye shadow, or lip color.

27           (10) "Cruise ship" means any commercial ship used for the domestic or  
28           international carriage of passengers.

1           (11) "Customer" means the parent or a relative of the parent who receives  
2           FITAP benefits on behalf of a dependent child.

3           (12) "Department" means Louisiana Works.

4           (13) "Dependent child", in accordance with federal law and regulations  
5           relative to the Temporary Assistance for Needy Families (TANF) program, shall  
6           mean a needy child who meets all of the following criteria:

7           (a) A needy child under the age of eighteen or needy child under the age of  
8           nineteen who is a full-time student in a secondary school, or in the equivalent level  
9           of vocational or technical training, who may reasonably be expected to complete the  
10           program of such secondary school or training before attaining the age of nineteen.

11           (b) The child is living with his father, mother, stepfather, stepmother, or  
12           other relative, within the fifth degree, in a place of residence maintained by one or  
13           more of such relatives as his or their own home. For the purposes of this Subpart,  
14           all such persons shall be deemed as relatives, whether their relationship to the  
15           dependent child was acquired by adoption, marriage, or birth, and neither divorce nor  
16           death shall terminate such relationship.

17           (14) "Electronic benefits transfer transaction" and "EBT transaction" mean  
18           the use of a credit or debit card service, automated teller machine, point-of-sale  
19           terminal, or access to an online system for the withdrawal of funds.

20           (15) "Family Independence Temporary Assistance Program" or "FITAP"  
21           means the cash assistance program.

22           (16) "Family Success Agreement" means the mutually developed contract  
23           between a FITAP customer, on behalf of their family, and the department that sets  
24           forth mutual and time-bound responsibilities, expectations, activities, and goals  
25           designed to transition a customer from public assistance to self-sufficiency.

26           (17) "Federal Welfare Reform Act" means the federal Personal  
27           Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996,  
28           Public Law 104-193, and applicable changes due to its reauthorization.

1           (18)(a) "Gaming establishment" means a gambling casino and any other  
2           establishment that provides gaming activities that are subject to regulation by the  
3           Louisiana Gaming Control Board.

4           (b) "Gaming establishment" does not include either of the following:

5           (i) A grocery store that sells groceries including staple foods and that also  
6           offers, or is located within the same building or complex as, casino activities,  
7           gambling, or gaming activities.

8           (ii) Any establishment that offers casino, gambling, or gaming activities that  
9           are incidental to the principal purpose of the business.

10          (19) "Jewelry" means an object or thing consisting of precious stones or  
11          precious metals worn as adornment or apparel, including costume jewelry.

12          (20)(a) "Liquor store" means any retail establishment that sells exclusively  
13          or primarily intoxicating liquor.

14          (b) "Liquor store" does not include a grocery store that sells both  
15          intoxicating liquor and groceries, including staple foods.

16          (21) "Nail salon" means a commercial establishment that provides nail  
17          services of any kind including but not limited to trimming, filing, decorating,  
18          shaping, sculpting, or in any way caring for the nails and skin of a person's hands or  
19          feet together with massaging the hands, arms, legs, and feet.

20          (22) "Point-of-sale terminal" means an electronic hardware device that meets  
21          all of the following criteria:

22          (a) May be utilized at a retailer's place of business where consumers pay for  
23          goods or services.

24          (b) Is capable of the following:

25          (i) Initiating a request for authorization of a purchase of tangible personal  
26          property.

27          (ii) Disbursing currency from an account.

28          (iii) Initiating a balance inquiry for an account.

1           (iv) Distributing assistance through an electronic benefits transfer system as  
2           described in this Subpart.

3           (23) "Psychic" means any person or establishment engaged in the occupation  
4           of occult science including a fortune teller, palmist, astrologist, numerologist,  
5           clairvoyant, craniologist, phrenologist, card reader, spiritual reader, tea leaf reader,  
6           prophet, or advisor who in any manner claims or pretends to tell fortunes or claims  
7           or pretends to disclose mental faculties of individuals for any form of compensation.

8           (24) "Secretary" means the secretary of Louisiana Works.

9           (25) "Sexually oriented business" means any commercial enterprise that has  
10          as its primary business the offering of a service or the sale, rent, or exhibit of devices  
11          or any other items intended to provide sexual stimulation or sexual gratification to  
12          the customer.

13          (26) "State plan" means the state TANF block grant plan.

14          (27) "Strategies to Empower People" or "STEP" means the education,  
15          employment, training, and related services program for families receiving cash  
16          assistance payments.

17          (28) "Temporary Assistance for Needy Families" or "TANF" means the  
18          federal block grant program established under the Personal Responsibility and Work  
19          Opportunity Reconciliation Act of 1996, Public Law 104-193, and applicable  
20          changes due to its reauthorization.

21          (29) "Work-eligible" refers to families containing an adult under sixty years  
22          of age, or teen head of household, that is not disabled, incapacitated, or caring for a  
23          family member who is disabled or incapacitated as documented by a medical expert  
24          to which the status of disability is clearly established and explained. "Work-eligible"  
25          also excludes cases in which only the child portion of need that is unrelated to a  
26          sanction or penalty, known as a child-only case, is considered in determining  
27          eligibility.

28          §1882.1. Family Assistance Programs; prohibitions; requirements

1           A. The state public assistance program shall consist of a cash assistance  
2           program, the Family Independence Temporary Assistance Program and an education,  
3           employment, training, and related services program for work-eligible families,  
4           STEP, and TANF-funded initiatives.

5           B. The state public assistance programs funded with federal TANF funds  
6           shall include all the requirements and prohibitions of the Personal Responsibility and  
7           Work Opportunity Reconciliation Act (PRWORA), and applicable changes due to  
8           its reauthorization.

9           §1882.2. Family Independence Temporary Assistance Program; benefits; eligibility

10           A.(1) The department shall develop and administer a temporary assistance  
11           program to be known as the "Family Independence Temporary Assistance Program"  
12           (FITAP) that shall provide money payments to the following:

13                   (a) On behalf of a dependent child.

14                   (b) On behalf of a pregnant woman, if medically verified that the woman is  
15           in the sixth month of pregnancy and if the unborn child would be eligible for family  
16           independence temporary assistance, had the child been born and living with her  
17           during the month of payment.

18                   (2) FITAP assistance shall include money payments to meet the needs of a  
19           dependent child, including payments to meet the needs of the father, mother,  
20           stepfather, stepmother, or other relative or the relative's spouse with whom the child  
21           is living, and the needs of any other individual living in the same home if such needs  
22           are taken into account in making the determination of eligibility.

23           B. Notwithstanding the provisions of Subsection A of this Section, FITAP  
24           assistance shall not mean:

25                   (1) Any amount paid to meet the needs of an unborn child.

26                   (2) Any amount paid to or an increase in payment on behalf of a woman who  
27           has not medically verified that she is in the sixth month of pregnancy.

28           C. The secretary shall promulgate rules and regulations defining countable  
29           and exempt income and resources and establishing additional eligibility criteria.

1           D. Nothing in this Subpart shall be construed as authorizing any state  
2           official, agent, or representative in carrying out any of the provisions of this Subpart  
3           to take charge of any child over the objection of either of the parents of the child, or  
4           over the objections of the tutor or other persons having the legal care, custody and  
5           control of the child.

6           §1882.3. FITAP benefits; prohibited uses

7           A. A customer shall not use benefits in an electronic benefits transfer  
8           transaction in any of the following places:

9                   (1) A liquor store.

10                   (2) A gaming establishment.

11                   (3) A retail establishment that provides adult-oriented entertainment in  
12           which performers disrobe or perform in an unclothed state for entertainment  
13           purposes.

14                   (4) An adult bookstore.

15                   (5) An adult paraphernalia store.

16                   (6) A sexually oriented business.

17                   (7) A commercial body art facility.

18                   (8) A nail salon.

19                   (9) A jewelry store.

20                   (10) An amusement ride.

21                   (11) An amusement attraction.

22                   (12) A bail bonds company.

23                   (13) A bar.

24                   (14) A cruise ship.

25                   (15) A psychic business.

26                   (16) An establishment where persons under eighteen years of age are not  
27           permitted to enter.

28           B. A customer shall not use such benefits in any electronic benefits transfer  
29           transaction at a retailer for the purchase of any of the following:

1           (1) An alcoholic beverage as defined in R.S. 14:93.10.

2           (2) A tobacco product as defined in R.S. 14:91.6(B).

3           (3) A ticket for a lottery as defined in R.S. 47:9002.

4           (4) Jewelry as defined in R.S. 23:1882.

5           C. The FITAP case of any customer who violates the provisions of this  
6 Section shall be closed in accordance with the following schedule:

7           (1) Case closure for a period of twelve months for the first violation.

8           (2) Case closure for a period of twenty-four months for the second violation.

9           (3) Permanent case closure for the third violation.

10          D. A customer whose FITAP case is closed pursuant to the provisions of this  
11 Section shall have the right to a hearing conducted in accordance with the  
12 Administrative Procedure Act.

13          §1882.4. Public assistance customers; parenting skills education; condition of  
14 eligibility

15          A. The secretary shall establish a program to provide parenting skills  
16 education for public assistance customers who are pregnant or have a child under age  
17 one and shall require participation as a primary work activity under a Family Success  
18 Agreement. Parents with children under age one are not considered exempt from  
19 participation in this work activity. Customers who fail to participate in these  
20 activities shall be subject to sanction for non-participation and shall be considered  
21 to be out of compliance with a Family Success Agreement. Applicable child care  
22 and transportation shall be provided to customers to enable their participation.

23          B. The secretary of the department shall adopt rules and regulations for the  
24 administration of the program established pursuant to this Section.

25          §1882.5. Termination of eligibility; twenty-four-month limit; refusal of employment

26          A. A family shall be ineligible for FITAP benefits, including automatic  
27 eligibility for medical assistance under Title XIX of the Social Security Act  
28 (Medicaid), if any one of the following applies:

1           (1) The parent has received FITAP for at least twenty-four months, whether  
2           consecutive or not, out of the previous sixty months after January 1, 1997.

3           (2) A work-eligible parent has declined or refused the opportunity for  
4           full-time employment as specified in the customer's Family Success Agreement or  
5           has not complied with required work activities as specified in the customer's Family  
6           Success Agreement.

7           B. The provisions of this Section shall not apply to an individual who is  
8           incapacitated or has a disability as documented or to such an individual in the  
9           customer's household.

10          C. The secretary of the department may promulgate rules and regulations  
11          which establish exceptions to the time limitations provided in this Section to the  
12          extent that funds are available for this purpose; however, any exception shall be  
13          contingent upon the customer maintaining compliance with the STEP Family  
14          Success Agreement pursuant to R.S. 23:1882.6.

15          §1882.6. Employment, education, and related services for FITAP customers;  
16          responsibilities of the secretary, agencies, and customers

17          A.(1) The department shall develop and implement STEP as the employment  
18          program for work-eligible customers of cash assistance in accordance with the  
19          provisions of the Federal Welfare Reform Act. The department shall identify and  
20          coordinate employment services for the program.

21          (2) The employment services provided for in this Subsection may be  
22          delivered pursuant to performance-based contracts between the department and other  
23          government agencies or any community partner. The services may include but shall  
24          not be limited to the following:

25                  (a) Job readiness, job preparation, and job search.

26                  (b) Workplace literacy and related assessments.

27                  (c) Applicable skill-based training, employer-based training, and other  
28          employment activities designed to meet the needs of Louisiana employers with a  
29          preference towards in-demand occupations.

1           (d) Temporary and permanent job placements.

2           (e) Subsidized employment services.

3           (f) On-the-job training.

4           B. In order to receive cash assistance, an applicant who is work-eligible as  
5           defined in R.S. 23:1882 shall fulfill each requirement set forth in his Family Success  
6           Agreement and shall participate in the employment program provided for in  
7           Subsection A of this Section.

8           C. Prior to receipt of cash assistance, a work-eligible customer shall be  
9           notified in writing of program expectations and customer responsibilities. When  
10          possible, notification may be delivered via e-mail or other electronic means, and  
11          notification delivered in this manner shall be deemed to satisfy the written  
12          notification requirement established in this Subsection.

13          D. Within the limits of appropriation therefor, the secretary shall establish  
14          and administer STEP, which shall include the allowable work activities as provided  
15          in the Federal Welfare Reform Act, for work-eligible customers of FITAP.

16          E. Subject to appropriation, the department may provide support services and  
17          transitional services to facilitate progress by FITAP customers toward  
18          self-sufficiency and sustainable employment.

19          F. The secretary shall promulgate in accordance with the Administrative  
20          Procedure Act any rules necessary to implement the provisions of this Section.

21          §1882.7. Retailer fees for access to cash assistance benefits

22          Retailers participating in the cash assistance electronic benefits transfer  
23          system shall not be prohibited from charging or assessing a fee against cash  
24          assistance customers who are accessing benefits for the sole purpose of obtaining  
25          cash. Such fee shall not exceed the retailer's normal and customary check cashing  
26          fee assessed against the general public. Retailers shall not establish maximum limits  
27          for customer access to cash assistance benefits.

28          §1882.8. Prohibited retailers, goods, and services; penalties; appeals

1           A. No retailer or other business establishment that participates in the cash  
2           assistance electronic benefits transfer system shall accept the electronic benefits  
3           transfer card in payment for any of the following:

4                     (1) An alcoholic beverage as defined in R.S. 14:93.10.

5                     (2) A tobacco product as defined in R.S. 14:91.6(B).

6                     (3) A ticket for a lottery as defined in R.S. 47:9002.

7                     (4) Jewelry as defined in R.S. 23:1882.

8           B. The following retailers and business establishments are prohibited from  
9           conducting any electronic benefits transfer transaction:

10                    (1) A liquor store.

11                    (2) A gaming establishment.

12                    (3) A retail establishment that provides adult-oriented entertainment in  
13           which performers disrobe or perform in an unclothed state for entertainment  
14           purposes.

15                    (4) An adult bookstore.

16                    (5) An adult paraphernalia store.

17                    (6) A sexually oriented business.

18                    (7) A commercial body art facility.

19                    (8) A nail salon.

20                    (9) A jewelry store.

21                    (10) An amusement ride.

22                    (11) An amusement attraction.

23                    (12) A bail bonds company.

24                    (13) A bar.

25                    (14) A cruise ship.

26                    (15) A psychic business.

27                    (16) An establishment where persons under eighteen years of age are not  
28           permitted to enter.

1           C.(1) Except as provided in Paragraph (2) of this Subsection, each business  
2           of any type described in Subsection B of this Section that has an automated teller  
3           machine or point-of-sale terminal on its premises shall disable access to electronic  
4           cash assistance benefits through such machine or terminal.

5           (2) The provisions of Paragraph (1) of this Subsection shall not apply to any  
6           business approved by the Food and Nutrition Service of the United States  
7           Department of Agriculture as a retailer in the Supplemental Nutrition Assistance  
8           Program of this state.

9           D. A retailer or other business establishment that violates any provision of  
10          Subsection A or B of this Section shall be subject to the following civil fines:

11           (1) Five hundred dollars for the first violation.

12           (2) One thousand dollars for the second violation.

13           (3) Two thousand five hundred dollars for the third violation and each  
14          violation thereafter.

15          E.(1) The department shall promulgate rules and regulations in accordance  
16          with the Administrative Procedure Act to effectuate the provisions of this Section.  
17          The rules and regulations shall provide, at minimum, for notice to a retailer or other  
18          business establishment of any violation, and for an appeal procedure including  
19          judicial review.

20          (2) The appeal provided for in this Subsection shall be suspensive. Each  
21          appeal initiated pursuant to this Subsection shall be heard by the division of  
22          administrative law in accordance with the applicable provisions of Chapter 13-B of  
23          Title 49 of the Louisiana Revised Statutes of 1950.

24          (3) The division of administrative law shall furnish to the department and  
25          retailer or other business establishment a copy of the decision rendered in the appeal  
26          and written notice of the manner for requesting judicial review.

27          (4) Authority to impose the fines provided for in Subsection D of this  
28          Section shall commence on July 1, 2027.

1           F. The department may institute any civil court action necessary to collect  
2           finest imposed pursuant to this Section and not timely appealed. Interest shall begin  
3           to accrue at the current judicial rate on the day following the date on which any fines  
4           become due and payable. All costs of any successful action to collect such fines,  
5           including travel expenses and reasonable attorney fees, shall be awarded to the  
6           department in addition to the fines.

7           G.(1) Civil fines collected pursuant to the provisions of this Section shall be  
8           deposited immediately into the state treasury.

9           (2) After compliance with the requirements of Article VII, Section 9(B) of  
10          the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
11          and prior to the monies being placed in the state general fund, an amount equal to the  
12          amount deposited as provided in Paragraph (1) of this Subsection shall be credited  
13          to the Fraud Detection Fund created by R.S. 23:1838.3.

14          (3) Monies in the Fraud Detection Fund may be appropriated by the  
15          legislature to the department in the manner prescribed by and for the purposes  
16          specified in R.S. 23:1838.3(D).

17          §1883. Investigations and reports

18               A. If any person has knowledge that any dependent child is dependent upon  
19               the public for support, or that the interest of the public requires that the child be  
20               granted aid, the person may notify the field office in the parish where the child  
21               resides, and the department shall make an investigation and examination of the  
22               circumstances of the child before the granting of aid.

23               B. A report of the investigation, examination, and visit shall be made in  
24               writing and become a part of the record in the case.

25          §1884. Eligibility for assistance; amount and conditions of aid

26               Assistance shall be granted to or on behalf of any child found to be in  
27               necessitous circumstances as defined by regulations for eligibility of the state agency  
28               responsible for administering the assistance program.

29          §1884.1. Recovery of overpayments

1           A. The department shall establish procedures to accomplish the requirements  
2           of this Section in accordance with the Louisiana Administrative Procedure Act.

3           B. The department will promptly take all necessary steps to correct any  
4           overpayment, including collection, or underpayment of assistance under the state  
5           public assistance program, and, in the case of:

6                   (1) An overpayment to or on behalf of an individual who is a current  
7                   customer of such assistance, including a current FITAP customer whose  
8                   overpayment occurred during a prior period of eligibility, recovery shall be made by  
9                   repayment by the individual or by reducing the amount of any future assistance  
10                  payable to or on behalf of the family of which he is a member.

11                  (2) An overpayment to or on behalf of any individual who is no longer  
12                  receiving assistance, recovery may be made by appropriate action against the income  
13                  or resources of the individual or the family.

14           §1884.2. Individuals convicted of certain felonies; eligibility for assistance

15                   As authorized by 21 U.S.C. 862a(d)(1), this state hereby exempts all  
16                   individuals domiciled in the state from the application of the prohibition provided  
17                   in 21 U.S.C. 862a(a) on eligibility for the following assistance programs and  
18                   benefits:

19                   (1) Cash benefits under any state program funded under Part A of Title IV  
20                   of the Social Security Act.

21                   (2) Benefits under the Supplemental Nutrition Assistance Program as defined  
22                   in Section 3 of the Food and Nutrition Act of 2008 or any state program carried out  
23                   under that Act.

24           §1885. Judicially appointed curator

25                   In lieu of selecting a payee to receive assistance, Louisiana Works, pursuant  
26                   to federal regulations, may require the referral of the case to the district court for a  
27                   judicially appointed curator. The court may appoint a capable, interested, and  
28                   willing third person, irrespective of whether he is related to the child within any of  
29                   the degrees of relationship set forth in Section 406(a) of Title IV of the Social

1        Security Act, to receive the payments and use them in the best interest of the child.

2        The curator shall be accountable at whatever intervals are specified by the court and  
3        the court shall require a bond or whatever other security is deemed necessary by the  
4        court to ensure the faithful performance of the curator's duties. The curator, upon  
5        being appointed, shall take the oath and letters of authority may be issued to him. In  
6        those instances in which the department requires the case to be referred to the court  
7        for the appointment of a curator, each local governing authority shall have the option  
8        in any case to provide compensation to the curator.

9        §1886. Receipt of assistance payments

10        All assistance payments for aid under FITAP and the Kinship Care Subsidy  
11        Program shall be mailed so as to reasonably assure that they will be received on the  
12        date due. If the due date falls on a weekend or a holiday, then the assistance  
13        payment shall be mailed so as to reasonably assure its receipt on the last regular  
14        banking date immediately preceding the due date.

15        §1887. Distribution of funds in violation of provisions

16        No state funds appropriated for public assistance shall be distributed or paid  
17        out in violation of the provisions of this Subpart.

18        §1888. Administration of emergency assistance to needy families with children

19        In order to extend and improve services, aid, and care to needy children and  
20        needy families with children in this state, and in order to take full advantage of  
21        existing federally funded programs on a matched basis, Louisiana Works shall be the  
22        agency of the state of Louisiana to cooperate with the United States and to administer  
23        Title IV-A, Sections 403 and 406 of the Social Security Act (42 U.S.C. 603 and 606)  
24        or any amendments thereto, relating to emergency assistance to needy families with  
25        children, and to receive and expend federal moneys for these services.

26        §1889. Kinship Care Subsidy Program

27        A. There is hereby established a Kinship Care Subsidy Program in Louisiana  
28        Works, for the purpose of assisting eligible kinship caregivers, including

grandparents, step-grandparents, or other adult relatives within the fifth degree who have legal custody or guardianship of their minor relatives.

B. For purposes of this Section:

(1) "Customer" means an applicant or recipient of the Kinship Care Subsidy Program.

(2) "Kinship caregiver" means the grandparent, step-grandparent, aunt, uncle, or other adult relative within the fifth degree of consanguinity.

(3) "Minor relative" means a grandchild, step-grandchild, or other minor relative not the natural or adopted child of the kinship caregiver who is under eighteen years of age and who meets the definition of "dependent child" specified in R.S. 23:1882.

C. To be eligible to qualify for a subsidy under the program, a kinship caregiver of a minor relative shall meet the following requirements:

(1) Possess or obtain, within one year of enrolling in the program, legal custody or guardianship of a minor relative who is living in his home.

(2) Have an annual income of less than one hundred fifty percent of the federal poverty threshold, in accordance with the size of the family applying for the subsidy.

(3) Apply for benefits through the Family Independence Temporary Assistance Program (FITAP).

(4) Have neither of the minor relative's parents residing in the customer's household.

(5) Agree to pursue the enforcement of child support obligations against the parents of the minor relative with the assistance of the Department of Children and Family Services in accordance with applicable law.

E. Louisiana Works shall promulgate rules and regulations to establish the amount of the subsidy to be awarded on behalf of each minor relative.

F. Louisiana Works shall promulgate rules and regulations to provide for any other eligibility requirements which are reasonably necessary to administer the

1        Kinship Care Subsidy Program in accordance with this Section and any federal  
2        requirements, to promote the safety and well-being of any minor relative for whom  
3        subsidies are issued, and to establish procedures for reconsideration of eligibility of  
4        customers no less than annually.

5                G. The subsidy provided for in this Section shall be administered by  
6        Louisiana Works and funded through the TANF block grant.

7                H.(1) A customer of Kinship Care Subsidy Program benefits shall not use  
8        such benefits in an electronic benefits transfer transaction in any of the following  
9        places:

10                (a) A liquor store.

11                (b) A gaming establishment.

12                (c) A retail establishment that provides adult-oriented entertainment in which  
13        performers disrobe or perform in an unclothed state for entertainment purposes.

14                (d) An adult bookstore.

15                (e) An adult paraphernalia store.

16                (f) A sexually oriented business.

17                (g) A commercial body art facility.

18                (h) A nail salon.

19                (i) A jewelry store.

20                (j) An amusement ride.

21                (k) An amusement attraction.

22                (l) A bail bonds company.

23                (m) A bar.

24                (n) A cruise ship.

25                (o) A psychic business.

26                (p) An establishment where persons under eighteen years of age are not  
27        permitted to enter.

1           (2) A customer of Kinship Care Subsidy Program benefits shall not use such  
2           benefits in any electronic benefits transfer transaction at a retailer for the purchase  
3           of any of the following:

4                     (a) An alcoholic beverage as defined in R.S. 14:93.10.

5                     (b) A tobacco product as defined in R.S. 14:91.6(B).

6                     (c) A ticket for a lottery as defined in R.S. 47:9002.

7                     (d) Jewelry as defined in R.S. 23:1882.

8           (3) The Kinship Care Subsidy Program case of any customer who violates  
9           the provisions of this Section shall be closed in accordance with the following  
10           schedule:

11                    (a) Case closure for a period of twelve months for the first violation.

12                    (b) Case closure for a period of twenty-four months for the second violation.

13                    (c) Permanent case closure for the third violation.

14                    (d) A customer whose Kinship Care Subsidy Program case is closed pursuant  
15           to the provisions of this Subsection shall have the right to a hearing pursuant to the  
16           Administrative Procedure Act.

17                             SUBPART E. WELFARE REFORM ACT OF 1995

18           §1891. Submission of quarterly reports to the legislature

19                     Louisiana Works shall submit copies of the federal quarterly ACF-196 and  
20           ACF-696 reports to the House and Senate committees on labor and industrial  
21           relations, the House Committee on Appropriations, and the Senate Committee on  
22           Finance at the time these reports are submitted to the federal government. Upon  
23           request, the department shall submit copies of any other report the legislature deems  
24           necessary.

25           §1891.1. Adult basic education; literacy training; vocational educational training

26                     To the extent allowed by federal law and notwithstanding any other state law,  
27           rule, or regulation to the contrary, adult basic education and literacy training shall be  
28           included in the definition of vocational educational training for purposes of  
29           calculating work participation rates under the Temporary Assistance for Needy

1 Families programs. This law shall apply to any person receiving such education or  
2 training, regardless of the person's age.

3 §1891.2. Educational opportunities to promote self-sufficiency

4 A. The legislature hereby finds that an employment-focused program has  
5 succeeded in reducing public assistance rolls by focusing on the importance of work  
6 as a way of escaping poverty; education and employment can give public assistance  
7 recipients the literacy, knowledge, and aptitude to obtain and retain private  
8 career-path employment; that these programs retain their importance in reducing  
9 public assistance dependency; that new federal legislation places an increased  
10 emphasis on employment and allows the combining of employment-related activities  
11 with educational activities; and that to the extent that they can be funded under the  
12 new federal welfare reform program without hindering the other federally recognized  
13 goals, they should be funded.

14 B. Within this Section, "educational activities" refers to the following  
15 educational activities funded by the Department of Children and Family Services in  
16 the state 1995-96 Fiscal Year, but not countable towards the federal participation  
17 requirements of 42 U.S.C. 407 as amended in 1996:

18 (1) Courses for obtaining general equivalency degrees.

19 (2) Adult basic education and literacy training.

20 (3) Vocational-technical training.

21 D. The department shall report to the Senate and House committees on labor  
22 and industrial relations on or before September 1, 2027, and quarterly thereafter,  
23 regarding implementation of the provisions of this Section and to what extent the  
24 investment level shall be reached for the fiscal year.

25 E.(1) The provisions of this Section shall apply only to the extent permissible  
26 from federal TANF funds and uncommitted maintenance of effort funds the state is  
27 required to spend under TANF.

1           (2) The provisions of this Section shall also apply only to the extent that  
2           TANF and maintenance of effort funds are available and uncommitted for  
3           expenditure for other purposes by the department or by the legislature.

4           (3) Funds that have been received from the federal government shall be  
5           considered available and uncommitted if the requisite approval for the expenditure  
6           of such funds in accordance with the provisions of R.S. 39:131 et seq. has not been  
7           obtained.

8           F. Nothing in this Section shall prohibit the legislature from appropriating  
9           state funds for the educational activities defined in this Section.

10          §1891.3. Earned income disregards for certain TANF customers

11           A. In order to promote self-sufficiency, Louisiana Works shall disregard a  
12           customer's first six months of earnings up to nine hundred dollars of gross earnings  
13           per month in determining the amount of his household's benefit under Temporary  
14           Assistance for Needy Families, provided that the customer is engaged in a work  
15           activity which has been approved by the department as part of his work participation  
16           requirement under TANF.

17           B. This provision shall apply to a household only one time.

18           C. Months in which a customer receives the statutory earned income  
19           disregard pursuant to Subsection A of this Section shall not count toward the state  
20           twenty-four-month limit provided in R.S. 23:1882.5(A)(1).

21           D. For purposes of this Section, "Temporary Assistance for Needy Families"  
22           or "TANF" means the federal block grant program established under the Personal  
23           Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law  
24           104-193.

25           E. The department shall promulgate rules and regulations to implement the  
26           provisions of the earned income disregard program provided in Subsection A of this  
27           Section, in accordance with the Administrative Procedure Act.

28          §1891.4. Individual development account

1           A. For purposes of this Section, "individual development account" shall  
2           mean a financial account to be used for the purposes specified in this Section and  
3           established in the name of an individual account holder who is eligible for the  
4           individual development account program based on established income eligibility  
5           determination.

6           B. Notwithstanding any other provision of law to the contrary, a customer  
7           may still receive TANF benefits while maintaining an individual development  
8           account that meets the following criteria:

9                   (1)(a) Deposits shall only be made by the individual account holder, a  
10                  nonprofit organization, an individual contributor, or the state on behalf of the  
11                  individual.

12                   (b) Total deposits into an individual development account over the life of the  
13                  account shall not exceed six thousand dollars excluding interest.

14                   (2) At any point in time, the balance of an individual development account  
15                  shall not exceed six thousand dollars.

16                   (3) The account holder may withdraw monies from an individual  
17                  development account for the following purposes only:

18                           (a) To pay his educational expenses incurred at an accredited institution of  
19                           higher education.

20                           (b) To pay his training costs incurred for a training program approved by the  
21                           department.

22                           (c) To pay for work-related clothing, tools, or equipment as approved by the  
23                           department.

24                           (d) For home ownership.

25                           (e) For business capitalization.

26                           (4) TANF monies may be deposited into this account, including but not  
27                  limited to any matching funds that may be appropriated for that purpose.

28           C. The department shall ensure that there is a limitation of one individual  
29           development account per household.

1           D. An individual account holder who ceases to receive TANF program  
2           benefits may withdraw deposited monies from an individual development account  
3           for any purpose, except that the individual account holder shall comply with any  
4           restriction on the use of any monies deposited by a nonprofit organization or an  
5           individual contributor, or on the use of any state matching funds.

6           E. The department shall promulgate rules and regulations in accordance with  
7           the Administrative Procedure Act to implement the provisions of this Section which  
8           shall include but not be limited to the following:

9                   (1) The establishment and administration of the individual development  
10                  account program.

11                  (2) The criteria a nonprofit organization or an individual contributor shall  
12                  satisfy before making a deposit to an individual development account.

13                  (3) Penalties for fraud or abuse of any provision of this Section.

14           F. The department may administer an individual development account  
15           program as provided in this Section contingent upon the availability of funding to do  
16           so.

17           §1891.5. Incentive Award Program; dropout reduction; teen pregnancy reduction

18           A. Louisiana Works in consultation with the Department of Education shall  
19           develop and implement a special program, the Incentive Award Program, whereby  
20           the governing authority of a parish and a parish school system may receive a  
21           financial award for reducing the teen pregnancy rate and dropout rate for the parish.

22           B. The department, in developing this program, shall:

23                   (1) Develop and define the standards to be used to measure progress.

24                   (2) Develop the procedure to be used to collect relevant data to be used to  
25                   determine progress.

26                   (3) Require that the data collected be compiled into an annual progress report  
27                   which ranks each parish relative to the progress made by the parish in the relevant  
28                   categories and provide for the delivery of the report to each school, parish governing  
29                   authority, and parish school system in the state.

1           (4) Provide for the annual identification of at least ten parishes that have  
2           made the most significant progress in the past year and that will be eligible for the  
3           financial award.

4           C. Through the Incentive Award Program, the department shall provide a  
5           financial award to each of the ten parishes identified in the annual progress report  
6           that have demonstrated the most significant reduction in dropout rates, as defined by  
7           rule of the Department of Education, and in teen pregnancy rates as defined by rule  
8           of Louisiana Works. The financial award shall be distributed to the ten parish school  
9           systems. These awards may be expended by the parish school system to implement  
10           innovative community-based and school-based programs designed to further reduce  
11           the dropout rate and the teen pregnancy rate for the parish and for instructional  
12           enhancement programs.

13           D. No award shall be granted through the Incentive Award Program until  
14           such time as the state receives a financial bonus award from the federal government  
15           provided for in the Personal Responsibility and Work Opportunity Reconciliation  
16           Act of 1996 (PRWORA), which provides for awards to the five states that have  
17           demonstrated the largest net decrease in the rate of out-of-wedlock births.

18           §1891.6. TANF eligibility; teen parent living arrangements; work participation  
19           requirements; submission of waiver

20           A.(1)(a) Any customer of Temporary Assistance for Needy Families Block  
21           Grant (TANF) benefits who is less than eighteen years of age, is not married, and is  
22           a custodial parent shall live in an approved adult-supervised living arrangement with  
23           his child, except when evidence is presented to a caseworker of Louisiana Works that  
24           the teen parent, or his child, has been subjected to emotional or physical abuse.

25           (b)(i) If the caseworker determines that the teen parent, or his child, has been  
26           subjected to the abuse of an adult with whom they are living in a primary  
27           relationship and that under the circumstances the teen, and his child, would be safer  
28           living outside the present adult-supervised living arrangement, then the teen parent  
29           and child shall be allowed to live outside such living arrangement temporarily.

1           (ii) If the teen parent leaves his such living arrangement, the caseworker  
2           shall monitor the teen's case no less frequently than once a month and shall assist the  
3           teen parent in locating another approved adult-supervised living arrangement, taking  
4           into consideration the needs and concerns of the teen parent and child.

5           (c) The teen parent shall be allowed to receive TANF benefits on behalf of  
6           himself, and his child, while temporarily living outside an adult-supervised living  
7           arrangement as provided in this Subsection.

8           (2) Work-eligible, minor parents with children who have not yet received a  
9           high school diploma or equivalency shall attend school or related education classes  
10          designed to obtain a high school diploma or its equivalent. School attendance shall  
11          be the primary work activity for those minor parents who do not have a high school  
12          diploma or equivalency. These expectations shall become part of the customer's  
13          Family Success Agreement. Minor parents who fail to participate in these activities  
14          are subject to sanction for non-participation and are considered to be out of  
15          compliance with a Family Success Agreement.

16          B. The secretary of Louisiana Works may temporarily exempt from the work  
17          participation requirements any female who is in a two-parent TANF family who  
18          presents sufficient evidence to support a claim that she has been incapable of  
19          maintaining a job or regularly reporting to her place of employment because she is  
20          a victim of domestic violence and has been forced to move into a shelter or another  
21          protective environment outside her home.

22          §1891.7. Waivers for victims of domestic violence

23          A. The secretary shall waive, for as long as necessary, pursuant to a  
24          determination of good cause, any public assistance program requirement that will  
25          create obstacles for a victim of domestic violence to escape a domestic violence  
26          situation, including but not limited to time limits on receipt of assistance, work,  
27          training or educational requirements, limitations of TANF requirements, residency  
28          requirements, and any other program requirements which will create obstacles for  
29          the victim to escape violence or penalize that victim for past, present, and potential

1 abuse. However, a victim of domestic violence shall develop a plan that specifies  
2 the necessary actions, goals, and services that may enable the victim to become free  
3 of a domestic violence situation. Such plan shall be made a component of the  
4 customer's Family Success Agreement.

5 B. Any information obtained pursuant to this Section regarding a victim of  
6 domestic violence shall be used solely for the purposes provided for in Subsection  
7 A of this Section or for referral to supportive services and shall not be released to any  
8 third party, including a governmental agency unless such agency is authorized to  
9 obtain such information by another provision of law.

10 §1891.8. Drug testing for certain adult customers of public assistance; legislative  
11 policy; procedures

12 A. The legislature hereby reaffirms the legitimate government function of  
13 promoting the safety and welfare of children and adults. The legislature declares that  
14 the best interests of a significant portion of the state's population are served by  
15 ensuring that they are free of the physical and mental impairments associated with  
16 drug dependence. The legislature further reaffirms its compelling interest in  
17 providing safeguards to eliminate the misappropriation of entitlement benefits. The  
18 legislature hereby directs the secretary of Louisiana Works, in consultation with the  
19 secretary of the Louisiana Department of Health and the commissioner of  
20 administration, to establish a mandatory drug testing program for certain adults in  
21 the Temporary Assistance for Needy Families Block Grant Program.

22 B.(1) The secretary of Louisiana Works shall cause to be instituted a  
23 mandatory drug testing program for certain adult customers, to be determined by the  
24 secretary, in consultation with the secretary of the Louisiana Department of Health  
25 and the commissioner of administration, in the Temporary Assistance for Needy  
26 Families Block Grant Program. However, no customer shall be tested if such testing  
27 is prohibited by federal law. No sanction shall be imposed on an adult customer if  
28 such sanction is prohibited by federal law.

1           (2) The testing program shall provide procedural safeguards to ensure the  
2           protection of the constitutional rights of the program customers and provide that  
3           testing shall be done by state-certified laboratories.

4           C.(1)(a) The required drug testing program shall require a customer to  
5           complete an education and rehabilitation program upon the initial identification of  
6           the customer as an illegal drug user verified by a positive test result as a prerequisite  
7           to continued receipt of benefits. Further, the drug testing program shall provide for  
8           the suspension of participation in such entitlement program for a customer  
9           subsequently identified by a verified positive test result as an illegal drug user.  
10          However, in no event shall participation in such entitlement program be suspended  
11          while the customer is taking part in the education and rehabilitation program or until  
12          an education and rehabilitation program is available to the customer.

13          (2)(a) The secretary of Louisiana Works, in conjunction with the secretary  
14          of the Louisiana Department of Health and the commissioner of administration, shall  
15          provide a program of education and rehabilitation for customers so identified as  
16          illegal drug users.

17          (b) The program shall include regulations governing the reentry of a  
18          suspended customer into the entitlement program based on subsequent testing results  
19          and completion of education and rehabilitation programs.

20          (c) The program shall also include the provision of inpatient services for any  
21          customer identified as an illegal drug user if it is determined that such inpatient  
22          services are necessary for successful rehabilitation.

23          D. The secretary of Louisiana Works, in consultation with the secretary of  
24          the Louisiana Department of Health and the commissioner of administration, shall  
25          promulgate rules and regulations to implement the provisions of this Section in  
26          accordance with the Administrative Procedure Act. The rules and regulations shall  
27          provide that the cost of testing customers for the presence of illegal drugs and the  
28          treatment of customers pursuant to the provisions of this Section shall be borne by  
29          the department or departments that grant the applicable public assistance.

1           E. The secretary of Louisiana Works shall prepare a written statistical report  
2           on the program and submit the report to the legislature on or before September 1,  
3           2027, and annually thereafter.

4           SUBPART F. ADMINISTRATION OF WELFARE BENEFITS PAYABLE TO  
5                           MENTALLY INCAPABLE INDIVIDUALS

6           §1901. Curator for receipt and administration of public assistance benefits

7           Any mentally incapable person who is entitled to public assistance or who  
8           has the right to apply for public assistance but cannot make application because of  
9           his incompetency and who does not have a duly appointed and qualified legal  
10          representative, may have a curator appointed for him solely for the purpose of  
11          representing his interest in qualifying for, receiving and administering public  
12          assistance benefits. The appointment shall be made by any court of competent  
13          jurisdiction, subject to the proceedings hereinafter outlined.

14          §1902. Necessity for appointment; procedure

15          The necessity for the appointment of a curator shall be initiated by any  
16          relative or other interested person by petition. Upon filing of such petition, the court  
17          shall order the mentally incapable person to show cause in not less than ten days nor  
18          more than fifteen days why the application should not be granted. The mentally  
19          incapable person shall be duly cited and served with a copy of the petition and order.  
20          At the hearing the court shall require whatever proof it deems necessary or desirable;  
21          and the mentally incapable person shall have the right to counsel. If the mentally  
22          incapable person does not have sufficient resources to supply counsel, the court, if  
23          it deems it necessary or desirable, may appoint special counsel and the person so  
24          appointed shall be entitled to a fee of ten dollars in an uncontested case and twenty-  
25          five dollars in a contested case, the fee to be taxed as costs against the person  
26          initiating the proceedings. All proceedings, at the discretion of the court, may be  
27          conducted in private chambers. The judgment or order naming a curator for a  
28          mentally incapable person shall not constitute an interdiction.

29          §1903. Bond; account; oath and letters

1           A. The curator shall be accountable at whatever intervals are specified by the  
2           court, and the court shall have the right to require a bond or whatever other security  
3           is deemed necessary by the court to ensure the faithful performance of the curator's  
4           duties. The curator, upon being appointed, shall take an oath, and any letters of  
5           authority may be issued to him.

6           B. Failure by the curator to render an account satisfactory to the court shall  
7           be sufficient cause for the curator's dismissal and the appointment of another curator.

8           §1904. Final discharge of curator

9           A. The curator shall be discharged from his duties for any of the following  
10          reasons:

11           (1) Upon the interdiction of the incompetent person under existing law.

12           (2) Upon proper proof to the court that the mentally incapable person has  
13          become sufficiently competent to administer his public assistance benefits.

14           (3) Upon the signing of an order by the court that made the original  
15          appointment, upon its own motion, or otherwise, terminating the appointment of the  
16          curator for any other reason.

17          B. Upon being discharged, the curator shall render a full and final accounting  
18          to the court of his administration, and upon so doing, the curator shall be relieved  
19          from any further responsibility, and his bond shall be cancelled, and whatever other  
20          security may have been given shall be released.

21          §1905. Costs

22           The entire cost of the proceedings herein authorized shall not exceed (a) in  
23          uncontested cases the sum of ten dollars, exclusive of the fee of the special counsel  
24          who may be appointed and of the court reporter; (b) and in contested cases shall not  
25          exceed ten dollars, exclusive of the fee of the special counsel who may be appointed  
26          and of the court reporter.

27           SUBPART G. MISCELLANEOUS PROVISIONS

28          §1911. Surviving spouse of public assistance customers; retention of benefits  
29          received during month of death

1           A surviving spouse of a customer is hereby authorized to receive and retain  
2           any financial assistance paid by the department to or for the benefit of a customer  
3           during the month of the death of the customer, whether or not the check covering  
4           such assistance was actually received prior to the death of the customer.

5           §1912. Exemption of income and resources

6           The secretary of Louisiana Works is hereby authorized to adopt income and  
7           resources exemption policies to the extent necessary to conform with the federal  
8           Economic Opportunity Act, any social security provision, and any other laws of  
9           Congress to obtain federal block grant or matching funds for the state's public  
10          assistance program. Such income and resources exemption policies shall prevail in  
11          the event they conflict with R.S. 23:1884.

12          §1913. Cooperation with administrative agencies relative to interchange of  
13          information

14          Louisiana Works is hereby authorized to provide for interchange of such  
15          information necessary in providing for work training experiences as required by  
16          Public Law 90-248, as the secretary of the United States Department of Health,  
17          Education and Welfare, or its successor department, may require for federal  
18          matching purposes.

19          §1914. Revision of standard of need; temporary assistance for needy families;  
20          general assistance

21          A. Louisiana Works and the Louisiana Department of Health shall jointly  
22          revise the standard of need for the Family Independence Temporary Assistance  
23          Program and the public assistance program each year, basing such standard on the  
24          Annual Update of the Poverty Income Guidelines published by the United States  
25          Department of Health and Human Services. The standard shall reflect the higher of  
26          the southern and national averages. The departments shall cause such revised  
27          standard to become effective on January first of each year.

28          B. Implementation of this provision shall be contingent on Louisiana Works  
29          and the Louisiana Department of Health certifying to the commissioner of

1 administration that the revision will not increase the total state dollar expenditure for  
2 the two departments.

3 §1915. Electronic authorization and distribution of public assistance benefits and  
4 services

5 A. Louisiana Works shall contract for the development and implementation  
6 of an electronic issuance system for the authorization and distribution of benefits and  
7 services provided by public assistance programs. Such programs shall include but  
8 not be limited to issuance of benefits and services of the Supplemental Nutrition  
9 Assistance Program (SNAP) and the Family Independence Temporary Assistance  
10 Program (FITAP), and shall require that all customers who participate in programs  
11 for which benefits and services are authorized and distributed through the system  
12 shall obtain benefits through the electronic issuance system, subject only to  
13 exceptions as necessary for the effective functioning of the program.

14 B. The contract program selected to provide the electronic issuance system  
15 shall include but not be limited to:

16 (1) An electronic reporting and inventory system that complies with federal  
17 and state reporting requirements.

18 (2) Plastic cards for program clients.

19 (3) Training of department personnel.

20 (4) Instructions for customers on how to use the system.

21 (5) Instructions for retailers and other participants in the program on how to  
22 use the system.

23 (6) Provision, installation, and maintenance of automated teller machines,  
24 point of sale terminals, printers, and personal identification number, "PIN", pads in  
25 the field offices, in retail establishments which accept SNAP benefits, and in other  
26 appropriate locations of participants in the program.

27 C. The contract program shall also:

28 (1) Provide merchants the option to utilize commercial point-of-sale  
29 terminals provided by a third-party processor to interface with the electronic benefits  
30 transfer, EBT, provider selected by the department.

(2) Provide for reimbursement by the EBT provider selected by the department of any and all costs incurred by the merchant in the processing of benefits under the electronic issuance system for public assistance programs for telephone monthly service charges and supplies for retailers utilizing the state-provided EBT equipment.

(3) Provide that the cash back provisions of the electronic issuance system shall allow the merchant to charge the customer reasonable and customary charges for the provision of cash back services.

D.(1) The program shall provide for and shall maximize participation of the federal government and of the private sector, particularly merchants and financial institutions that may provide access to the program, in the funding and implementation of the program.

(2) The program shall further provide for increased controls to reduce or prevent the fraudulent obtaining of public assistance benefits and services.

Section 6. R.S. 23:73(E)(2) is hereby amended and reenacted as follows:

§73. Comprehensive labor market information system

\* \* \*

E.

\* \* \*

(2) The public entities whose data and assistance shall be considered necessary for the system to fulfill its purpose shall include the ~~commission~~ department, Louisiana Economic Development, and the Departments of Education, Elderly Affairs, Health, Public Safety and Corrections, Social Services, and Veterans Affairs, and in the governor's office, the Offices of ~~Elderly Affairs~~, Lifelong Learning, Women's Services, and ~~Workforce Development~~, and the State Board of Elementary and Secondary Education, and the Board of Regents and any other public entity that the ~~commission~~ department deems necessary.

Section 7. R.S. 36:3(3), 4(A)(introductory paragraph) and (6), the heading of Chapter 7 of Title 36 of the Louisiana Revised Statutes of 1950, 301, 308(A) and (B), and 309 are hereby amended and reenacted to read as follows:

§3. Definitions

As used in this Title, the following terms have the following meanings unless the context clearly indicates otherwise:

\* \* \*

(3) "Department" means a department of the executive branch of state government created or continued in this Title in accordance with the constitutional mandate contained in Article IV, Section 1 and in Article XIV, Section 6 of the Constitution of Louisiana and shall include ~~the Louisiana Workforce Commission~~ Louisiana Works.

\* \* \*

§4. Structure of executive branch of state government

A. In accordance with the provisions of Article IV, Section 1 and Article XIV, Section 6 of the Constitution of Louisiana, all offices, boards, commissions, agencies, and instrumentalities of the executive branch of state government, whether constitutional or statutory, and/or their functions, powers, duties, and responsibilities shall be allocated, either in the Act by which this Title was created or by legislation enacted subsequent thereto, within the departments listed in this Section, except as provided in Subsections B and C of this Section, and in order to comply with this constitutional mandate, the agencies of the executive branch of state government hereinafter enumerated, whether heretofore created by the constitution or by statute, ~~and/or~~ or their functions, powers, duties, and responsibilities are allocated, in the manner hereinafter set forth in this Title, within the following designated departments:

\* \* \*

(6) ~~Louisiana Workforce Commission~~ Louisiana Works.

\* \* \*

CHAPTER 7. ~~LOUISIANA WORKFORCE COMMISSION~~ LOUISIANA WORKS

§301. ~~Louisiana Workforce Commission~~ Louisiana Works; creation; domicile; composition; purposes and functions

1           A. ~~The Louisiana Workforce Commission~~ Louisiana Works is created and  
2           shall be a body corporate with the power to sue and be sued. The domicile of the  
3           ~~commission~~ department shall be in Baton Rouge. ~~The Louisiana Workforce~~  
4           ~~Commission~~ Louisiana Works shall be deemed to be one of the twenty departments  
5           of the executive branch of state government as provided in Article IV, Section 1 of  
6           the Constitution of 1974 and as provided in this Title.

7           B. ~~The Louisiana Workforce Commission~~ Louisiana Works, through its  
8           offices and officers, shall administer and enforce laws and programs designed to  
9           protect the economic and physical well-being of Louisiana's workforce and pursue  
10          the availability of the workforce to meet the needs of the economy. The ~~commission~~  
11          department shall coordinate and administer programs conducted by the state, or  
12          jointly with federal agencies, in the area of labor-management relations, manpower  
13          evaluation and training, vocational rehabilitation, independent living, blind services,  
14          certain social services, disability determinations, employment, unemployment and  
15          workers' compensation, job safety, and the licensing and regulation of certain types  
16          of work. The ~~commission~~ department shall be responsible for delivering workforce  
17          development solutions for businesses and economic sectors of the economy and  
18          coordinating with other state agencies and offices for the delivery of workforce  
19          development solutions as provided for in R.S. 23:1801. The ~~commission~~ department  
20          shall perform functions related to administration of the community services block  
21          grant for which provision is initially made in the Omnibus Budget Reconciliation Act  
22          of 1981.

23          C.(1) ~~The Louisiana Workforce Commission~~ Louisiana Works shall be  
24          composed of the executive office of the secretary, the office of management and  
25          finance, the office of workforce development, the office of unemployment insurance  
26          administration, the office of workers' compensation administration, ~~the office of~~  
27          ~~occupational information services,~~ and such other offices as shall be created by law.  
28          The Louisiana Workforce Investment Council, as more specifically provided in R.S.  
29          23:2042 et seq., shall be placed within the executive office of the secretary.

(2) Except when changes are necessary for the efficient delivery of workforce development solutions for businesses and economic sectors of the economy, whenever the secretary determines that the administration of the functions of the ~~commission~~ department may be more efficiently performed by eliminating, merging, or consolidating existing offices or establishing new offices, the secretary shall present a plan therefor to the legislature for its approval by statute.

\* \* \*

§308. Offices; purposes and functions

A. The purposes for which the offices of the ~~Louisiana Workforce Commission~~ Louisiana Works are created shall be as set forth in this Section.

B.(1) The office of workforce development shall perform the functions of the state relating to the administration, enforcement, supervision, and direction of programs related to the formulation of standards and policies promoting the welfare of wage-earning women; the employment of individuals with disabilities; vocational rehabilitation; occupational information services; independent living; blind services; customer service delivery; employment; training; minimum wage standards; welfare of workers and labor disputes, including the promotion of voluntary conciliation of disputes; regulation and certification of private employment agencies; minor labor laws; the formulation of policy relative to labor apprenticeship; worker protection programs, including medical payment; and employment security and employment service field services, all in accordance with applicable laws.

(2) In addition to Paragraph (1) of this Subsection, the office of workforce development shall also perform the functions of the state relating to data processing and the development, analysis, and dissemination of labor market and occupational information, including but not limited to training and forecasting data.

\* \* \*

§309. Transfer of agencies to ~~Louisiana Workforce Commission~~ Louisiana Works

A. The following agencies are transferred to and hereafter shall be within the ~~Louisiana Workforce Commission~~ Louisiana Works, as provided in R.S. 36:802:

1 (1) Employment Security board of review (R.S. 23:1621 et seq. and  
2 particularly R.S. 23:1652).

3 (2) Louisiana Workers' Compensation Second Injury Board (R.S. 23:1371  
4 et seq.).

5 (3) Louisiana Workforce Investment Council (R.S. 23:2041 et seq. and 2091  
6 et seq.).

7 B. The following agencies are transferred to and hereafter shall be within the  
8 ~~Louisiana Workforce Commission~~ Louisiana Works, as provided in R.S. 36:901 et  
9 seq.:

10 (1) Apprenticeship council (R.S. 23:381 et seq.).

11 (2) Workers' Compensation Advisory Council (R.S. 23:1294).

12 C. The following agencies are transferred to and hereafter shall be within ~~the~~  
13 ~~Louisiana Workforce Commission~~ Louisiana Works as provided in R.S. 36:803:

14 (1) Board of Barber Examiners (R.S. 37:341 et seq.).

15 (2) State Plumbing Board (R.S. 37:1361 et seq.).

16 D. The powers, duties, functions, and responsibilities relating to Louisiana  
17 Rehabilitation Services (R.S. 23:3001 et seq.) are hereby transferred to the ~~Louisiana~~  
18 ~~Workforce Commission~~ Louisiana Works to be exercised and performed by the  
19 ~~executive director~~ secretary, in accordance with the provisions of R.S. 36:921 et seq.

20 E. The following agencies are transferred to and hereafter shall be within ~~the~~  
21 ~~Louisiana Workforce Commission~~ Louisiana Works and shall perform and exercise  
22 their powers, duties, functions, and responsibilities as provided by law:

23 (1) The worker's compensation medical advisory council (R.S. 23:1203.1).

24 (2) The Blind Vendors Trust Fund Board (R.S. 23:3044).

25 F. The powers, duties, functions, and responsibilities relating to certain  
26 programs within the office of family support of the Department of Children and  
27 Family Services, or a successor office or department, are hereby transferred to  
28 Louisiana Works (R.S. 23:1821 et seq.) to be exercised and performed by the  
29 secretary, in accordance with provisions of R.S. 36:851 et seq. The following  
30 programs shall be transferred:

1           (1) Supplemental Nutrition Assistance Program (SNAP), including Sun  
2           Bucks, disaster SNAP benefits, and employment and training programs.

3           (2) Temporary Assistance to Needy Families (TANF), including  
4           employment and training programs.

5           (3) Disability determination services provided by the Department of Children  
6           and Family Services, or successor department.

7           Section 8. R.S. 46:56(A), (B)(1), and (L), 107(A)(1), 231.4(A), (D), and (F)(2),  
8           352(1)(a) and (b) and (2)(a), 932(12), and 936 are hereby amended and reenacted and R.S.  
9           46:107(E) is enacted to read as follows:

10          §56. Applications and client case records; definitions; confidentiality; waiver;  
11               penalty

12               A. Applications for assistance and information contained in case records of  
13               clients of the Louisiana Department of Health, the Department of Children and  
14               Family Services, Louisiana Works, or the office of elderly affairs, for the purpose  
15               of adult protective services, shall be confidential and, except as otherwise provided,  
16               it shall be unlawful for any person to solicit, disclose, receive, make use of, or to  
17               authorize, knowingly permit, participate in, or acquiesce in the use of applications  
18               or client case records or the information contained therein for any purpose not  
19               directly connected with the administration of the programs of the department.

20               B.(1)(a) For the purposes of this Section, "department" means the Louisiana  
21               Department of Health, the Department of Children and Family Services, and the  
22               adult protection agency as provided in R.S. 15:1503.

23               (b)(i) For the purposes of this Section, references to a department that  
24               administers "the Supplemental Nutrition Assistance Program, or a successor  
25               program", "nutrition", "the Temporary Assistance for Needy Families Program, or  
26               a successor program", "Aid to Families with Dependent Children", or any other  
27               public assistance program administered by Louisiana Works shall be applicable to  
28               Louisiana Works.

(ii) The provisions of this Section that are applicable to the department as defined in Paragraph (1) of this Section shall also be applicable and include Louisiana Works.

(c) It is the express intent of this Section that the Louisiana Department of Health, the Department of Children and Family Services, Louisiana Works, and, for the purpose of adult protective services, the office of elderly affairs share access to each other's case records to the extent that such access is not prohibited by any contrary provision of federal law or regulation.

\* \* \*

L.(1) Notwithstanding the foregoing provisions of this Section, in any hearing before the State Civil Service Commission, Equal Employment Opportunity Commission, and any office in ~~the Louisiana Workforce Commission~~ Louisiana Works in its capacity of administering Louisiana Employment Security Law, or in any civil or criminal judicial proceeding, wherein the work performance or conduct of an employee of the department is at issue, client case records relevant to said work performance or conduct shall be admissible. However, prior to admission into evidence, the client case records shall have client names and identifying data obliterated.

(2) The department shall provide to the employee the relevant case records with names and other identifying data obliterated, except that where an employee is disciplined as a result of allegations made by the guardian, parents, family members, or tutor of the client, the names of the accuser shall not be withheld so as to deny the employee the right of confrontation granted to him by the constitution and laws of the United States of America and the state of Louisiana.

\* \* \*

## §107. Appeal and review; venue for judicial review

A.(1) The Department of Children and Family Services, Louisiana Works, and the office of the secretary of the Louisiana Department of Health, through their respective appeal sections, shall provide for a system of hearings and are responsible for fulfillment of all hearing provisions as prescribed under Title I, IV-A, X, XIV,

1 XVI, XIX, or XX of the Social Security Act and under the Food Stamp Act, Public  
2 Law 91-671. Under these provisions, an opportunity for a hearing shall be granted  
3 at the state level to any applicant ~~or recipient~~, or customer who makes a timely  
4 request for a hearing because his claim for assistance, services, or nutrition  
5 assistance benefits is denied or is not acted upon with reasonable promptness and to  
6 any recipient who is aggrieved by an agency action resulting in suspension,  
7 reduction, discontinuance, or termination of benefits.

8 \* \* \*

9 E. For purposes of this Section, "customer" is only applicable to Louisiana  
10 Works and means an applicant or recipient of public assistance benefits and services  
11 that fall within the department's purview.

12 \* \* \*

13 §231.4. Immunization compliance; exceptions

14 A. The secretary of ~~the Department of Children and Family Services~~  
15 Louisiana Works and the secretary of the Louisiana Department of Health shall  
16 require each recipient or customer of public assistance of the programs described  
17 herein or his parent or guardian to present to the appropriate local agency issuing the  
18 public assistance sufficient evidence of immunity or immunization against vaccine-  
19 preventable diseases according to a schedule promulgated by rule by the office of  
20 public health of the Louisiana Department of Health. Sufficient evidence that such  
21 an immunization program is in progress may be substituted for proof of immunity  
22 or immunization.

23 \* \* \*

24 D. ~~The Department of Children and Family Services~~ Louisiana Works and  
25 the Louisiana Department of Health shall promulgate rules and regulations in  
26 accordance with the Administrative Procedure Act to implement the provisions of  
27 this Section for programs under the particular department's jurisdiction. The office  
28 of public health shall develop and promulgate by rule the immunization schedule  
29 required herein.

30 \* \* \*

F.

\* \* \*

(2)(i) For purposes of this Section, "recipient" means a recipient of public assistance who is under eighteen years of age and all of a recipient's dependents who are under eighteen years of age.

(ii) For purposes of this Section, "customer" is only applicable to Louisiana Works and means a recipient of public assistance who is under eighteen years of age and all of a customer's dependents who are under eighteen years of age.

\* \* \*

§352. Definitions

As used in this Part, the following definitions apply:

(1) "Public assistance" means any of the following:

(a) Cash benefits of the Family Independence Temporary Assistance Program administered by ~~the Department of Children and Family Services~~ Louisiana Works.

(b) Nutrition assistance benefits of the Supplemental Nutrition Assistance Program administered by ~~the Department of Children and Family Services~~ Louisiana Works.

\* \* \*

(2) "State partners" means the following state entities, collectively:

(a) ~~The Louisiana Workforce Commission~~ Louisiana Works.

\* \* \*

§932. Powers and duties

The office shall have the following powers and duties:

\* \* \*

(12) To administer all federal funds appropriated, allocated, or otherwise made available to the state for services to the elderly, whether by block grant or in any other form, with the exception of funds for programs administered by the Department of Children and Family Services or the Louisiana Department of Health,

1 on August 15, 1995 or Louisiana Works on July 1, 2027, and to distribute those  
2 funds in accordance with and consistent with R.S. 46:936.

3 \* \* \*

4 §936. Statement of intent

5 A. It is the intention of the legislature that, insofar as is practical and  
6 consistent with the efficient administration of state government, programs and  
7 services for the elderly population of Louisiana, with the exception of any program  
8 administered by the Department of Children and Family Services or the Louisiana  
9 Department of Health on August 15, 1995 or Louisiana Works on July 1, 2027, shall  
10 eventually be consolidated within the office of elderly affairs, to be administered at  
11 the local level by the sixty-four parish voluntary councils on aging.

12 B. It is further the intention of the legislature that the ~~Office of Elderly~~  
13 ~~Affairs~~ office of elderly affairs administer all federal funds appropriated, allocated,  
14 or otherwise made available to the state for services to the elderly, whether by block  
15 grant or in any other form, with the exception of funds for programs administered by  
16 the Department of Children and Family Services or the Louisiana Department of  
17 Health on August 15, 1995 or Louisiana Works on July 1, 2027. The office of  
18 elderly affairs shall distribute such funds in accordance with appropriate state and  
19 federal requirements and consistent with this Section.

20 \* \* \*

21 Section 9. R.S. 46:936 is hereby amended and reenacted to read as follows:

22 §936. Statement of intent

23 A. It is the intention of the legislature that, insofar as is practical and  
24 consistent with the efficient administration of state government, programs and  
25 services for the elderly population of Louisiana, with the exception of any program  
26 administered by the Department of Children and Family Services or the Louisiana  
27 Department of Health on August 15, 1995 or Louisiana Works on July 1, 2027, shall  
28 eventually be consolidated within the ~~office of elderly affairs~~ Department of Elderly  
29 Affairs, to be administered at the local level by the sixty-four parish voluntary  
30 councils on aging.

1           B. It is further the intention of the legislature that the ~~Office of Elderly~~  
2 ~~Affairs~~ office of elderly affairs administer all federal funds appropriated, allocated,  
3 or otherwise made available to the state for services to the elderly, whether by block  
4 grant or in any other form, with the exception of funds for programs administered by  
5 the Department of Children and Family Services or the Louisiana Department of  
6 Health on August 15, 1995 or Louisiana Works on July 1, 2027. The ~~office of~~  
7 ~~elderly affairs~~ Department of Elderly Affairs shall distribute such funds in  
8 accordance with appropriate state and federal requirements and consistent with this  
9 Section.

10          Section 10. R.S. 49:191(1)(f) and 1402(1)(d) are hereby amended and reenacted to  
11 read as follows:

12          §191. Termination of legislative authority for existence of statutory entities; phase-  
13 out period for statutory entities; table of dates

14          Notwithstanding any termination dates set by any previous Act of the  
15 legislature, the statutory entities set forth in this Section shall begin to terminate their  
16 operations on July first of each of the following years, and all legislative authority  
17 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of  
18 July first of the following year, which shall be the termination date:

19               (1) July 1, 2026:

20                               \*       \*       \*

21               (f) ~~The Louisiana Workforce Commission~~ Louisiana Works and all statutory  
22 entities made a part of the department by law.

23                               \*       \*       \*

24          §1402. Definition of terms

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

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

28                               \*       \*       \*

29               (d) ~~Louisiana Workforce Commission~~ Louisiana Works.

30                               \*       \*       \*

1           Section 11. R.S. 23:18, 34, R.S. 36:308(E), R.S. 46:18, 101, 102, 102.1, 103 through  
2   106, 108, 111 through 113, 114.1, 114.3, 114.4, 115, 116, 230.1, 231, 231.1 through 231.3,  
3   231.5, 231.6, 231.12 through 231.14, 232, 233, 233.3, 234, 234.2, 235, 236, 237, Subpart E-  
4   2 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised  
5   of R.S. 46:301, Subpart E-4 of Part II of Chapter 3 of Title 46 of the Louisiana Revised  
6   Statutes of 1950, comprised of R.S. 46:321 through 328, Subpart E-5 of Part II of Chapter  
7   3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:331 and 332,  
8   Part VI of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
9   46:431 through 435, 441, 444, 447, 450.1, and Part IX of Chapter 3 of Title 46 of the  
10   Louisiana Revised Statutes of 1950, comprised of R.S.46:460.1 and 460.3 through 460.10  
11   and R.S.49:1402(1)(a) are hereby repealed in their entirety.

12           Section 12. The Louisiana State Law Institute is hereby authorized and requested to  
13   change all references in the Louisiana Revised Statutes of 1950 to the Louisiana Workforce  
14   Commission, whether referred to as the "Louisiana Workforce Commission" or  
15   "commission", to Louisiana Works or department where appropriate. The Louisiana State  
16   Law Institute is hereby further authorized and requested to change all references to the  
17   executive director of the Louisiana Workforce Commission, whether referred to as  
18   "executive director of the Louisiana Workforce Commission", "executive director of the  
19   commission", "executive of the department", or "executive director", to "secretary".

20           Section 13. The administrative rules contained in the Louisiana Administrative Code  
21   promulgated by the Department of Children and Family Services, or a successor department,  
22   which govern or are applicable to the programs and operations transferred from the  
23   Department of Children and Family Services, or a successor department, to Louisiana Works  
24   by this Act shall continue to be effective, and the office of state register shall change all  
25   applicable references to the Department of Children and Family Services, or a successor  
26   department, to Louisiana Works and redesignate and renumber, as needed, all applicable  
27   provisions as are necessary to maintain continuity in the Louisiana Administrative Code.

28           Section 14. All monies held in the state treasury for the Fraud Detection Fund on  
29   the effective date of this Act, shall upon that date, be transferred to Louisiana Works.

1           Section 15. All Department of Children and Family Services, or a successor  
2 department, contracts for the programs and activities transferred to Louisiana Works by this  
3 Act shall be deemed to have been transferred and assigned to Louisiana Works upon the  
4 effective date of this Act without the necessity of contractual amendment, and Louisiana  
5 Works shall be solely responsible for all related obligations and liabilities arising on or after  
6 that effective date.

7           Section 16.(A) In order to ensure continuity of services during the transition period,  
8 all Department of Children and Family Services, or a successor department, contracts related  
9 to the operation and administration of the programs transferred to Louisiana Works shall be  
10 deemed to have been transferred and assigned to Louisiana Works upon the effective date  
11 of this Act without the necessity of contractual amendment, and Louisiana Works shall be  
12 solely responsible for all related obligations and liabilities arising on or after that effective  
13 date.

14           (B) In order to ensure continuity of services during the transition period, any  
15 pending or unfinished business of the programs being transferred over shall be taken over  
16 and completed by Louisiana Works with the same power and authorization as that of the  
17 Department of Children and Family Services, or a successor department.

18           Section 17.(A) All employees engaged in the performance of duties relating to the  
19 functions of the programs and services transferred from the Department of Children and  
20 Family Services, or a successor department, to Louisiana Works are hereby transferred to  
21 Louisiana Works to carry out the functions of Louisiana Works and its programs and  
22 services and shall continue to perform their duties, subject to applicable state civil service  
23 laws, rules, and regulations. Subject to such laws, positions in the unclassified service shall  
24 remain in the unclassified service. Upon the transfer of employees to a board, such  
25 employees shall immediately have the ability to payroll deduct or direct deposit their payroll  
26 earnings in favor of any credit union of which they were members prior to the transfer.

27           (B) The Louisiana Civil Service shall assist the Department of Children and Family  
28 Services, or a successor department, and Louisiana Works in all human resource activities  
29 deemed necessary to make such a transfer. All human resource activities shall include, but  
30 are not limited to the transfer of personnel files and other related confidential documents,

1 position descriptions, retirement benefits, and related benefits, including but not limited to  
2 those offered by the Office of Group Benefits.

3 Section 18. In order to ensure continuity of services, Louisiana Works shall provide  
4 adequate funding from the Temporary Assistance to Needy Families (TANF) program to the  
5 Department of Children and Family Services, or a successor department, to run the child  
6 protection and child welfare services as set forth in an interagency agreement. The amount  
7 and schedule of funding transfers shall be determined based on the agreement between the  
8 secretaries of Louisiana Works and the Department of Children and Family Services, or a  
9 successor department. Both departments agree to work collaboratively to ensure that  
10 adequate financial resources are provided annually. In the event that the secretaries are  
11 unable to reach an agreement regarding the funding provisions, either department may  
12 request a resolution by the commissioner of administration. The commissioner shall  
13 convene a meeting between the secretaries and make a final determination on the proposed  
14 allocation of funding to be included in the annual proposed operating budget.

15 Section 19. The provisions of R.S. 23:1600(2) and (3)(a) of Section 5 of this Act  
16 shall become effective on July 1, 2025.

17 Section 20(A). The provisions of R.S. 23:73(E)(2) of Section 6 of this Act as  
18 amended and reenacted shall supersede the provisions of R.S. 23:73(E)(2) of Section 1 of  
19 Act No. 384 of the 2013 Regular Session of the Legislature as amended and reenacted when  
20 Section 1 of Act No. 384 of the 2013 Regular Session of the Legislature becomes effective.

21 (B) Section 6 of this Act shall become effective upon the effective date of the  
22 abolition of one or more of the twenty departments in the executive branch of state  
23 government or upon the effective date of a constitutional amendment that authorizes the  
24 creation of an executive branch department in addition to the twenty departments authorized  
25 by Constitution Article IV, Section 1(B), whichever occurs first.

26 Section 21(A). The provisions of R.S. 46:936 of Section 9 of this Act as amended  
27 and reenacted shall supersede the provisions of R.S. 46:936 of Section 5 of Act No. 384 of  
28 the 2013 Regular Session of the Legislature as amended and reenacted when Section 5 of  
29 Act No. 384 of the 2013 Regular Session of the Legislature becomes effective.

1 (B) Section 9 of this Act shall become effective upon the effective date of the  
2 abolition of one or more of the twenty departments in the executive branch of state  
3 government or upon the effective date of a constitutional amendment that authorizes the  
4 creation of an executive branch department in addition to the twenty departments authorized  
5 by Constitution Article IV, Section 1(B), occurs first.

6 Section 22.(A) Effective July 1, 2025, the workforce development programs  
7 currently administered by the Department of Children and Family Services, or a successor  
8 department, shall be transferred to and administered by Louisiana Works. The workforce  
9 program includes those consolidated under Skills Employment and Training, or "SET for  
10 Success", or successor programs, the Child Support Enforcement Employment and Training  
11 Program, or a successor program, the Supplemental Nutrition Assistance Program (SNAP)  
12 Employment and Training Program, or a successor program, and the Strategies to Empower  
13 People (STEP) Program, or a successor program.

14 (B) All employees of the Department of Children and Family Services, or a  
15 successor department, whose duties involve the administration or implementation of the  
16 programs provided for in Subsection A of this Section shall be transferred to Louisiana  
17 Works in accordance with applicable civil service laws and regulations.

18 (C) The Department of Children and Family Services, or a successor department,  
19 and Louisiana Works shall execute an interagency agreement to ensure the continued  
20 funding of these programs in a manner consistent with each program's current funding  
21 sources and mechanisms. The agreement shall provide for the allocation of resources,  
22 personnel, and administrative support necessary to maintain uninterrupted program  
23 operations. Louisiana Works shall provide a monthly report and invoice to the Department  
24 of Children and Family Services, or a successor department, which shall be paid within thirty  
25 days of receipt, and provided in a format prescribed by the Department of Children and  
26 Family Services, or a successor department, for an interagency transfer of funding to  
27 Louisiana Works.

28 (D) The secretaries of the Department of Children and Family Services, or a  
29 successor department, and Louisiana Works, or their respective designees, shall take all

1 actions necessary to implement the provisions of this Section and promulgate any rules and  
2 regulations in accordance with the Administrative Procedure Act.

3 Section 23.(A) Effective July 1, 2026, the Disability Determination Services (DDS)  
4 program currently administered by the Department of Children and Family Services, or a  
5 successor department, shall be transferred to and administered by Louisiana Works.

6 (B) All employees of the Department of Children and Family Services, or a  
7 successor department, whose duties involve the administration or implementation of the  
8 DDS program shall be transferred to Louisiana Works in accordance with applicable civil  
9 service laws and regulations.

10 (C) Upon transfer, Louisiana Works shall be the direct recipient of all federal  
11 funding for the DDS program from the Social Security Administration.

12 Section 24.(A) Notwithstanding any provision of law to the contrary, the executive  
13 budget for Fiscal Year 2027-2028 submitted to the legislature pursuant to R.S. 39:51 shall  
14 be in conformity with both of the following:

15 (1) The recommended appropriations for Louisiana Works from the State General  
16 Fund (Direct) means of finance shall be eight million dollars lower than the total State  
17 General Fund (Direct) appropriations to that agency for Fiscal Year 2026-2027.

18 (2) Eight million dollars in State General Fund (Direct) means of finance shall be  
19 added to the recommended appropriations for the Department of Children and Family  
20 Services, or a successor department.

21 (B) The eight million dollars included pursuant to Paragraph (A)(2) of this Section  
22 shall be included in the recommended appropriations for the Department of Children and  
23 Family Services, or a successor department, in each subsequent executive budget submitted  
24 pursuant to R.S. 39:51.

25 Section 25. To further improve the financial situation of the state and to more  
26 efficiently and effectively provide services to the citizens of this state, Louisiana Works will  
27 reduce at least forty employees from its July 1, 2024 employee count through natural  
28 attrition no later than July 1, 2027.

29 Section 26. Except as provided in Sections 19, 20, 21, 22, 23, and 24, this Act shall  
30 become effective on July 1, 2027; if vetoed by the governor and subsequently approved by

- 1 the legislature, except as provided in Sections 19, 20, 21, 22, 23, and 24, this Act shall  
2 become effective on July 1, 2027, or on the day following such approval by the legislature,  
3 whichever is later.

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#### 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)]

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HB 624 Original

2025 Regular Session

Berault

**Abstract:** Transfers family and support programs, such as SNAP and TANF, from DCFS to LWC and renames the Louisiana Workforce Commission (LWC) to Louisiana Works.

Proposed law makes relative changes in statutory provisions where programs and services administered by DCFS are referenced through provisions of present law and changes such references to La. Works.

#### TITLE 23 PROVISIONS

Present law provides that LWC is hereby created and established to operate an integrated workforce development delivery system in this state, in particular through the integration of job training, employment and employment-related education and training programs, vocational rehabilitation services, independent living services, and blind services program, and to administer the state's unemployment and workers' compensation programs.

Proposed law extends the areas of expertise operated by LWC to include social service eligibility determinations, benefit payments, disability determinations, and supplemental nutrition and certain family support programs. Proposed law otherwise retains present law.

Present law defines "commission", "council", and "secretary".

Proposed law removes the definition for "commission" and adds definitions for "customer", "department", "SNAP", and "TANF". Proposed law otherwise retains present law.

Proposed law provides that the legislature recognizes that LWC provides services to support individuals with various needs and in various stages of life.

Proposed law provides that, despite this, the conventional service delivery system of requiring individuals to access various offices within the state creates a barrier for the delivery of those services and entry into the workforce. Proposed law further provides that these barriers can be resolved and individuals' needs can be met by utilizing an integrated case management at a single service location with a single case worker.

Proposed law defines "integrated case management", "integrated service plan", and "service integration".

Present law enumerates the powers and duties which may be conferred upon the secretary by law.

Proposed law adds to this enumerated list the following powers and duties which may be completed by the secretary:

- (1) Administer and supervise all forms of public assistance, including assistance to needy families, supplemental nutrition benefits to individuals in need, and any other public assistance activities or services that may be or may later be within the department's purview.
- (2) Promulgate all necessary rules and regulations for the purposes of carrying out provisions of law relative to public assistance.
- (3) Oversee the organization and supervision of field offices, by providing any necessary services, materials, or additional assistance and personnel needed to the offices in order to ensure effective administration of public assistance functions; and to designate such offices to serve as its agents in the administration of public assistance activities in its respective parishes.
- (4) Employ additional personnel as necessary in order to establish a sufficient number of audit teams for the purpose of investigating public assistance customers whose initial eligibility or continued eligibility is difficult to determine.
- (5) Assist other departments, agencies, and institutions of the state or federal government, when so requested, by performing services in conformity with the purposes of present law and proposed law.
- (6) Act as an agent of the state for the purpose of cooperating with the federal government in public assistance matters of mutual concern and in the administration of any federal funds granted in the state to aid in the furtherance of any functions of the department, and be empowered to meet such federal standards established for the administration of federal funds.
- (7) Administer any federal, state, parish, municipal, or private funds made available for public assistance.
- (8) Administer all public assistance funds in the purview of the department, estimate the moneys to be credited to the assistance funds from state and federal sources for the ensuing fiscal year, and allocate the total amount estimated to be available.
- (9) Establish adequate standards for personnel employed in state, regional, or field offices and make necessary rules and regulations in order to maintain minimum standards of service and personnel based upon education, training, previous experience, and general efficiency, which shall be attained by the person appointed to the position.
- (10) Whenever and wherever practicable, enter into reciprocal agreements with public assistance agencies from other states relative to the provisions of public assistance to residents and nonresidents and cooperate with other states and with any authorized agencies of the federal government in providing aid, provided such agreements are approved by the attorney general.
- (11) Submit to the legislature an annual financial statement accounting for all funds appropriated by the department and for public assistance purposes in its purview, including specific purposes for which they are appropriated and a financial statement accounting for all federal funds allotted to the state by the federal government.

Proposed law changes "LWC" to "La. Works", "commission" to "department", and "executive director" to "secretary" when applicable, in addition to requesting the Louisiana Law Institute to change all references of the aforementioned within the Louisiana Revised Statutes.

Present law provides for the integration of services, such as job-training, employment, vocational rehabilitation services, independent living and blind services programs, and

employment-related educational programs and functions to be integrated into the workforce development delivery system.

Proposed law amends present law to include social service programs that provide economic stability to unemployed and underemployed individuals to be integrated with the aforementioned programs and services. Proposed law otherwise retains present law.

Present law requires the secretary of LWC to transfer monies, which, if any, are appropriated by the legislature to conduct a workforce facility condition assessment, service market data study or location analysis, and master plan, to the La. Community and Technical College System for the purpose of conducting the aforementioned assessment, analysis, or master plan.

Proposed law revises present law to instead provide that the secretary may contract with any state agency, higher education provider, or any private provider, subject to state procurement rules and regulations, to conduct a workforce economic assessment, if funds are appropriated for that purpose.

Present law requires LWC to provide appropriated local workforce development areas funds for the purpose of workforce training and employment services. Present law further provides that administrative costs may not exceed 10% of the total amount of funds available to LWC for federal grants for the purpose of carrying out local workforce development activities, unless authorized by any other law, regulation, or waiver.

Proposed law repeals present law and instead requires the department, in consultation with the Workforce Investment Council or local workforce development boards, to develop a comprehensive statewide workforce and social services plan that aligns with federal law. Proposed law requires the plan to include, but not be limited to the following:

- (1) A projected analysis of the workforce needs of employers and customers.
- (2) A projected analysis of the social service needs of customers.
- (3) Policy standards in programs and processes to ensure statewide program consistency among regional service areas.
- (4) State outcome-based standards for measuring program performance to evaluate quality standards of performance, program efficacy, program viability, and prompt service to all customers.
- (5) State oversight systems to review local workforce development board compliance with state policies.
- (6) Elements or regional workforce services plans that relate to statewide initiatives and programs.
- (7) Strategies to ensure program responsiveness, universal access, and unified case management.
- (8) Strategies to provide assistance to employees and employers facing employment discrimination.

Present law prohibits federal grant funding from applying to programs for which governing laws or regulations do not permit the use of such funding, or to programs for which the use of funding is not feasible, as determined by the secretary.

Proposed law repeals present law.

Present law provides that in the case of funds that are allocated to this state or regions of this state through the application of established formulas, the commission shall allocate amounts across the state using the same formula that was used to provide the funds to the state or that region unless an alternate formula is authorized by federal law or any other law.

Proposed law repeals present law.

Present law provides in each area of the state not designated as a local workforce development area or that is designated but the local workforce development board is not certified and a regional and local plan approved by the governor, the secretary shall do each of the following:

- (1) Provide workforce training and services in that area to the extent allowed by federal law.
- (2) Specify an entity, which may be the commission, for the performance of employment services in that area.

Proposed law repeals present law.

Present law provides that, unless required by federal law or superseded by other state or federal law, at least 85% of the funds be allocated to LWC for adult and youth workforce training and services and at least 60% of funds be allocated to the local workforce development board, or appropriate development board, in that area for dislocated worker training and services.

Proposed law repeals present law.

Present law provides that, if a local workforce development board has been certified and a local plan approved by the governor, the funds shall be provided through the formula allocation process provided for in present law. Present law further provides that, unless superseded by federal law, regulation, or waiver, the total administrative costs for local workforce training and services may not exceed 10% of the funds allocated under present law, regardless of whether the training and services are provided through a local workforce development board or through LWC or other entity specified pursuant to present law.

Proposed law repeals present law.

## **SOCIAL SERVICES PROGRAMS**

Proposed law transfers SNAP, and its ancillary programs and services, and TANF, and its ancillary programs and services, that are administered and operated by DCFS to La. Works.

Proposed law makes necessary technical corrections for the programs and services being transferred.

Proposed law provides there shall be in each parish of the state a field office of the department. Proposed law also provides that the department may unite two or more parishes and form a district office.

Proposed law requires the parish and district offices to administer all forms of public assistance within the department's purview.

Proposed law requires a healthcare provider to furnish to a claimant, the person appointed to represent the claimant in his dealings with the Social Security Administration, or an agent with written authorization as provided by federal law, a copy of any records that are necessary to support his filing for social security disability benefits or supplemental security income benefits.

Proposed law provides that, if a copy of the record is not provided within a reasonable period of time, not to exceed 15 days following the receipt of the request and written authorization, and production of the record is obtained through a court order or subpoena duces tecum, the healthcare provider will be liable for any reasonable attorney fees and expenses incurred in obtaining a court order or subpoena duces tecum.

Proposed law further clarifies that the aforementioned sanctions will not be imposed unless the person requesting the copy of the record has, by certified mail, notified the healthcare provider of his failure to comply with the original request by referring to the sanctions available, and the healthcare provider fails to furnish the requested copies within five days from receipt of the notice.

Proposed law prohibits the department from destroying all fiscal records relating to public assistance, until the proper state and federal agencies have completed their respective audits and have approved the destruction of the records.

Proposed law requires the department to preserve all the aforementioned records for three years or until all useful purposes have been served, whichever is longer.

Proposed law allows any state agency, with the approval of the division of administration, to transfer funds to the department, any portion of its appropriation that may be available for federal matching funds in accordance with any public assistance program within the department. Proposed law provides that the aforementioned funds will be deposited in a special account in the state treasury and provides what the funds should be utilized for.

Proposed law requires all applications for assistance to be in writing and in the manner designated and upon the form prescribed by the department.

Proposed law requires a field office, when an application for assistance is received, to promptly be made of the circumstances of the customer. Proposed law further provides that the object of the investigation shall be to ascertain the facts supporting the application and any other information required by the rules and regulations of the department.

Proposed law provides that, upon the completion of the investigation, the department shall decide whether the customer is eligible for assistance and determine the amount and the date on which assistance will begin. Proposed law requires the department to notify the applicant of its decision in writing.

Proposed law provides that all grants of assistance shall be mailed so as to reasonably assure the grants will be received on the date due. Proposed law provides that, if the due date falls on a weekend or a holiday, the grant shall be mailed so as to reasonably assure its receipt on the last regular banking date immediately preceding the due date.

Proposed law prohibits a person from obtaining or attempting to obtain assistance from the department by means of any false statement, misrepresentation, or other fraudulent device.

Proposed law provides that, to encourage the reporting of incidents of public assistance fraud, the department, through its fraud detection section, shall provide a statewide, toll-free telephone service, known as the Public Assistance Fraud Hot-Line, when sufficient funds are made available by the legislature for such purpose, or when funds are available from any other source.

Proposed law provides that any person who obtains or attempts to obtain or aids and abets anyone to obtain assistance from the department by means of any false statement, misrepresentation, or other fraudulent device or violates the provisions of proposed law (R.S. 23:1837) shall be guilty of theft.

Proposed law requires the department to establish, maintain, and provide for fraud detection functions in order to detect fraud in obtaining public assistance through staff in each region

of the state. Proposed law further requires each fraud detection unit to report each incident of public assistance fraud to the fraud detection section on a monthly basis by the 10<sup>th</sup> day of each succeeding month.

Proposed law requires an annual report of activities of all fraud detection units within a state fiscal year to be submitted by the fraud detection section to the Senate and House committees on labor and industrial relations by September 1<sup>st</sup>.

Proposed law provides for the Fraud Detection Fund, which shall be a special fund created in the state treasury.

Proposed law requires all monies recovered through fraud detection to be deposited into the state treasury after reimbursement of the federal funding agency's share. Proposed law further provide the amounts of monies to be credited to the Fraud Detection Fund.

Proposed law provides that all unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund to the credit of the department.

### **SNAP NUTRITION EDUCATION**

Proposed law provides the legislative intent of the Supplemental Nutrition Assistance Program (SNAP), and provides that SNAP is the cornerstone of the federal food assistance programs and provides crucial support to needy households and to those making the transition from public assistance to work.

Proposed law provides that federal regulations allow states to administer educational services within SNAP. Proposed law further provides that these services are known as SNAP Education, and are designed to teach food budgeting, proper nutrition, and healthy food choices to SNAP customers.

Proposed law requires the department to provide printed nutrition education resource materials directly to the heads of all SNAP beneficiary households. Proposed law further provides that the department may develop or utilize materials at its discretion in order to satisfy the provisions of proposed law, provided that the materials include the Core Nutrition Messages, or any successor resources, developed by FNS.

Proposed law requires the department to provide the aforementioned materials to every head of a SNAP beneficiary household at the following intervals:

- (1) At the first issuance of a SNAP electronic benefits transfer card subsequent to the initial determination of eligibility.
- (2) In the first correspondence from the department subsequent to a redetermination of eligibility.
- (3) Any interval which the department deems advantageous and feasible.

Proposed law requires the department, on or before March 1<sup>st</sup> annually, to submit to the House and Senate committees on labor and industrial relations a comprehensive report on the SNAP Education program. Proposed law further requires the report to include, but not be limited to the following items:

- (1) Analysis and commentary on major health challenges faced by low-income Louisiana families.
- (2) Data on SNAP Education customers, including a description of the ideal target population, actual number of customers served, geographic distribution of customers, and customers demographics.

- (3) A description of program operations, including details on the selection of customers, service delivery, and activities conducted by all SNAP Education program contractors and subcontractors.
- (4) A description of any partnership with the WIC Program and efforts undertaken in collaboration with that program.
- (5) Analysis of program outcomes and other significant impacts to SNAP Education service customers.
- (6) Public policy recommendations for enhancing the SNAP Education program and for supporting better health and nutrition generally among low-income families of this state.

#### **SNAP WORKFORCE TRAINING AND EDUCATION PROGRAM**

Proposed law defines ABAWD, customer, department, FNS, program, and SNAP.

Proposed law provides that the goals of the SNAP workforce training and education program, herein referred to as "the program", are as follows:

- (1) To provide incentives that are demonstrably effective in helping SNAP beneficiaries achieve financial self-sufficiency.
- (2) To connect employers to job candidates who possess requisite skills so that workforce needs, especially for in-demand occupations, are readily met.
- (3) To provide support to SNAP customers who choose to further their education.
- (4) To yield a model for incentivizing training and education for public assistance customers that can be replicated throughout the state.

Proposed law provides that a workforce training and education program is hereby created within SNAP for the purpose of improving employment opportunities for nonworking SNAP customers and enhancing workforce readiness. Proposed law further provides that the aforementioned program will be administer by La. Works.

Proposed law requires the department to establish the program in a parish with a population of more than 100,000 and less than 150,000, according to the latest federal decennial census, and in a parish where a public four-year college or university is located.

Proposed law provides that the program shall be exclusively composed of all ABAWDs residing in the parish who are not exempted by any federal or state policy, other than through a waiver of such a policy, from the limitation on SNAP benefits.

Proposed law requires each customer in the program to do all of the following:

- (1) At the time of redetermination of eligibility for SNAP benefits, provide to the department all requested documentation of participation in a workforce training or education program.
- (2) Comply with all other requirements for receipt of SNAP benefits as set forth by the department.

Proposed law requires the department to submit to FNS applications for any waiver, exemption, or formal authorization and any state plan amendment necessary to implement the program provided for in proposed law. Proposed law further requires the submissions to provide all of the following:

- (1) Reinstatement in the parish in which the program is established of the limit on receipt of SNAP benefits of three months in a three-year period for ABAWDs.
- (2) Establishment of benefit extensions in six-month increments for customers who meet workforce training or education requirements of the program.
- (3) Any other functions necessary for the department to establish and operate the program in a manner which conforms with applicable federal and state laws and regulations.

Proposed law requires the department to enter into any cooperative endeavor agreements, contracts, and other arrangements with any other government agency or any community partner as necessary to ensure adequate availability of workforce training to customers in the parish where the program is established.

Proposed law requires the department to institute all departmental policies and procedures necessary to ensure that the process for SNAP benefits eligibility redetermination in the parish where the program is established meets all of the following requirements:

- (1) Eligibility redetermination for each customer occurs no less frequently than once every six months.
- (2) Eligibility redetermination for each customer shall include a procedure for collecting and verifying documentation from the customer of his engagement in a workforce training or education activity as provided in proposed law (R.S. 23:1864).

Proposed law requires the department to transmit to the members of the House and Senate committees on labor and industrial relations a written notice that addresses the purpose and function of the program. Proposed law allows the department to transmit the notice by e-mail.

Proposed law requires the department to submit, annually, a written report providing a summary and evaluation of outcomes of the program to the House and Senate committees on labor and industrial relations. Proposed law allows the department to include the report with its submission of any other report pertaining to SNAP.

### **TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

Proposed law defines adult paraphernalia store, amusement attraction, amusement ride, applicant, automated teller machine, bail, bar, cash assistance, commercial body art facility, cruise ship, customer, department, dependent child, electronic benefits transfer transaction, Family Independence Temporary Assistance Program (FITAP), Family Success Agreement, Federal Welfare Reform Act, gaming establishment, jewelry, liquor store, nail salon, point-of-sale terminal, psychic, secretary, sexually oriented business, state plan, Strategies to Empower People (STEP), Temporary Assistance for Needy Families (TANF), and work-eligible.

Proposed law provides that the state public assistance program shall consist of a cash assistance program, FITAP, and an education, employment, training, and related services program for work-eligible families, STEP, and TANF-funded initiatives.

Proposed law provides that the state public assistance programs funded with federal TANF funds shall include all the requirements and prohibitions of federal law.

Proposed law requires the department to develop and administer FITAP and, through the program, provide money payments to the following:

- (1) On behalf of a dependent child.

- (2) On behalf of a pregnant woman, if medically verified that the woman is in the sixth month of pregnancy and if the unborn child would be eligible for family independence temporary assistance, had the child been born and living with her during the month of payment.

Proposed law provides that FITAP assistance shall include money payments to meet the needs of a dependent child, including payments to meet the needs of the father, mother, stepfather, stepmother, or other relative or the relative's spouse with whom the child is living, and the needs of any other individual living in the same home if such needs are taken into account in making the determination of eligibility.

Proposed law provides a list of places where a customer shall not use FITAP benefits.

Proposed law requires the department to develop and implement STEP as the employment program for work-eligible customers of cash assistance in accordance with the provisions of federal law. Proposed law further requires the department to identify and coordinate employment services for the program.

Proposed law requires a work-eligible applicant to fulfill each requirement provided for in his Family Success Agreement and participate in the employment program as provided for in proposed law (R.S. 23:1882.6(A)), in order receive cash assistance.

Proposed law requires the department to provide written notice of the program expectations and customer responsibilities to the customer before the customer receives their cash assistance.

Proposed law provides for the establishment of a Kinship Care Subsidy Program in La. Works, for the purpose of assisting eligible kinship caregivers, including grandparents, step-grandparents, or other adult relatives within the fifth degree who have legal custody or guardianship of their minor relatives.

Proposed law defines customer, kinship caregiver, and minor relative.

Proposed law provides that in order to be eligible for a subsidy under the Kinship Care Subsidy Program, a kinship caregiver must meet the following requirements:

- (1) Possess or obtain, within one year of enrolling in the program, legal custody or guardianship of a minor relative who is living in his home.
- (2) Have an annual income of less than 150% of the federal poverty threshold, in accordance with the size of the family applying for the subsidy.
- (3) Apply for benefits through the FITAP.
- (4) Have neither of the minor relative's parents residing in the customer's household.
- (5) Agree to pursue the enforcement of child support obligations against the parents of the minor relative with the assistance of the Dept. of Children and Family Services (DCFS) in accordance with applicable law.

Proposed law provides that the subsidy shall be administered by the department and funded through the TANF block grant.

Proposed law provides a list of places where a customer shall not use Kinship Care Subsidy Program benefits.

## TITLE 36 PROVISIONS

Present law provides that the office of occupational information services shall perform the functions of the state relative to data processing and the development, analysis, and dissemination of labor market and occupational information, including but not limited to training and forecasting data.

Proposed law repeals the office of occupational information services and instead provides that the office of workforce development, in addition to functions already distributed to it by present law, shall perform the aforementioned functions.

Proposed law provides that the powers, duties, functions, and responsibilities relating to certain programs within the office of family support of DCFS, or a successor office or department, are hereby transferred to La. Works:

- (1) SNAP, including Sun Bucks, disaster SNAP benefits, and employment and training programs.
- (2) TANF, including employment and training programs.
- (3) Disability determination services provided by DCFS, or a successor department.

#### **TITLE 46 PROVISIONS**

Present law provides that applications for assistance and information contained in case records of clients of the Louisiana Department of Health (LDH), DCFS, or the office of elderly affairs, for the purpose of adult protective services, shall be confidential.

Proposed law retains present law.

Present law prohibits, except as otherwise provided, any person from soliciting, disclosing, receiving, making use of, or authorizing, knowingly permitting, participating in, or acquiescing in the use of applications or client case records, or any information contained in either, for any purpose not directly connected with the administration of the programs of the department.

Proposed law retains present law.

Present law provides that for purposes of present law (R.S. 46:56), department means LDH, DCFS, and the adult protection agency provided for in present law (R.S. 15:1503).

Proposed law extends the definition to provide that references to a department that administers SNAP or a successor program, nutrition, TANF or a successor program, or any other public assistance program administered by La. Works shall be applicable to La. Works.

Present law provides that it is the express intent that LDH, DCFS, and, for the purpose of adult protective services, the office of elderly affairs share access to each other's case records to the extent that such access is not prohibited by federal law or regulation.

Proposed law adds La. Works to the aforementioned provision and otherwise retains present law.

Present law provides that DCFS and the office of the secretary of LDH, through their respective appeal sections, shall provide for a system of hearings and are responsible for fulfillment of all hearing provisions as prescribed under federal laws and regulations.

Proposed law adds La. Works to the aforementioned provision and otherwise retains present law.

Proposed law changes "LWC" to "La. Works" and "commission" to "department" when applicable, in addition to requesting the Louisiana Law Institute to change all references of the aforementioned within the Louisiana Revised Statutes.

Proposed law makes necessary technical corrections.

Proposed law provides that the administrative rules contained in the La. Administrative Code promulgated by DCFS, or a successor department, which govern or are applicable to the programs and operations transferred from DCFS, or a successor department, to the La. Works shall continue to be effective and the office of state register shall change all applicable references to DCFS, or a successor department, to La. Works and redesignate and renumber all applicable provisions as is necessary to maintain continuity in the La. Administrative Code.

Proposed law provides that all DCFS, or a successor department, contracts for the programs and activities transferred to the La. Works shall be deemed to have been transferred and assigned to the La. Works upon the effective date of proposed law without the necessity of contractual amendment, and the La. Works shall be solely responsible for all related obligations and liabilities arising on or after that date.

Proposed law provides that all DCFS, or a successor department, contracts related to the operation and administration of the programs transferred to La. Works shall be deemed to have been transferred and assigned to La. Works upon the effective date of proposed law without the necessity of contractual amendment, and La. Works shall be solely responsible for all related obligations and liabilities arising on or after that effective date.

Proposed law provides that all employees engaged in the performance of duties relating to the functions of the programs and services transferred from DCFS, or a successor department, to La. Works are hereby transferred to La. Works to carry out the functions of La. Works and its programs and services and shall continue to perform their duties, subject to applicable state laws, rules, and regulations.

Proposed law provides that in order to ensure continuity of services, La. Works shall provide adequate funding from the TANF program to DCFS, or a successor department, to run the child protection and child welfare services. Proposed law further provides that the amount and schedule of funding transfers shall be agreed upon by the departments.

Proposed law provides for the transfer of workforce development programs and the disability determination services program within DCFS to La. Works and provides for effective dates.

Proposed law provides for effectiveness and applicability.

Eff. July 1, 2027.

(Amends R.S. 11:780(C)(3)(a)(i), R.S. 14:68.2.1(A) and 74(D)(2), R.S. 15:933.1, R.S. 17:14.1(B)(1) and (C)(5), 3047.6(A) and (B), and 3914(M)(1) and (N)(1)(b), the heading of Chapter 1 of Title 23 of the Louisiana Revised Statutes of 1950, R.S. 23:1, 2, 3, 6(intro. para.), (1), (2), (3), (7), and (15), 7, 12, 14, 17, 73(A)(1), (C), and (E)(2), 74, 75(A), (B), (C)(1), (D)(3), and (E), 76(A), (B), and (C)(1), (2), and (8)(a), 78(intro. para.), (1), and (5), 1600(2) and (3)(a), 1693(I)(1), (2), and (3) and (J), R.S. 36:3(3), 4(intro. para.), and (A)(6), the heading of Chapter 7 of Title 36 of the Louisiana Revised Statutes of 1950, 301, 308(A)-(B), and 309, R.S. 46:56(A), (B)(1), and (L), 107(A)(1), 231.4(A), (D), and (F)(2), 352(1)(a) and (b) and (2)(a), 932(12), and 936, and R.S. 49:191(1)(f) and 1402(1)(d); Adds R.S. 23:1.1, 6(16) through (26), 1821-1915, and R.S. 46:107(E); Repeals R.S. 23:18 and 34, R.S. 36:308(E), R.S. 46:18, 101, 102, 102.1, 103-106, 108, 111-113, 114.1, 114.3, 114.4, 115, 116, 230.1, 231, 231.1-231.3, 231.5, 231.6, 231.12-231.14, 232, 233, 233.3, 234, 234.2, 235, 236, 237, 301, 321-328, 331, 332, 431-435, 441, 444, 447, 450.1, 460.1, 460.3-460.10 and R.S.49:1402(1)(a))