

2025 Regular Session

HOUSE BILL NO. 624

BY REPRESENTATIVES BERAULT, AMEDEE, BAMBURG, BILLINGS, BUTLER, CARLSON, CARRIER, CARVER, CHENEVERT, COATES, COX, DOMANGUE, EGAN, FISHER, FREIBERG, GLORIOSO, HENRY, HORTON, MACK, MCMAKIN, OWEN, ROMERO, WILDER, AND WYBLE AND SENATOR MIZELL

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), 301(A)(1) through (5), (C)(2), and (D)(2), (3), and (5), 321(2)

12 through (5), 322, 323(introductory paragraph), (3), and (4), 324(A), (B), (C), (D),

13 and (E)(introductory paragraph), (1), and (2)(introductory paragraph),

14 325(introductory paragraph), 326 through 328, 331(A)(1) through (3), 332, 352(1)(a)

15 and (b) and (2)(a), 932(12), and 936, and R.S. 49:191(1)(f) and 1402(1)(d), to enact

16 R.S. 23:1.1, 6(16) through (26), and Chapter 11-B of Title 23 of the Louisiana

1 Revised Statutes of 1950, to be comprised of R.S. 23:1821 through 1905, and R.S.
2 46:107(E), and to repeal R.S. 23:18 and 34, R.S. 36:308(E), R.S. 46:18, 101, 102,
3 102.1, 103 through 106, 108, 111 through 113, 114.1, 114.3, 114.4, 115, 116, 230.1,
4 231, 231.1 through 231.3, 231.5, 231.6, 231.12 through 231.14, 232, 233, 233.3, 234,
5 234.2, 235, 236, 237, Part VI of Chapter 3 of Title 46 of the Louisiana Revised
6 Statutes of 1950, comprised of R.S. 46:431 through 435, 441, 444, 447, 450.1, and
7 Part IX of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950,
8 comprised of R.S. 46:460.1 through 460.10, and R.S. 49:1402(1)(a), relative to the
9 reorganization and restructure of the Louisiana Workforce Commission and the
10 Department of Children and Family Services; to provide for certain family and
11 support programs in the Department of Children and Family Services (DCFS) being
12 transferred to the Louisiana Workforce Commission (LWC) and the Louisiana
13 Department of Health (LDH); to replace the Department of Children and Family
14 Services with Louisiana Works or LDH in certain provisions in Titles 11, 14, 15, and
15 46 of the Louisiana Revised Statutes of 1950 that reference DCFS programs that will
16 be transferred to Louisiana Works or LDH; 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 Louisiana Works; 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 Louisiana Works 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 LDH in regards to administering SNAP;

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

22 Be it enacted by the Legislature of Louisiana:

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

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

27 * * *

28 C.

29 * * *

(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) is hereby amended and reenacted to read as follows:

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

* * *

* * *

* * *

(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 4. 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 Department of Health

A. For the purpose of assisting ~~the Department of Children and Family Services~~ the Louisiana Department of Health 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~~ The Louisiana Department of Health 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~~ the Louisiana Department of Health when the juvenile is released from

1 custody. For purposes of this Section, the age of majority means a child under the
2 age of twenty-two.

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

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

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

15 §14.1. Family literacy demonstration program

16 * * *

17 B. The family literacy demonstration program shall include the following:

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

29 * * *

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~~ the Louisiana Department of Health for
7 the purpose of facilitating program administration, including but not limited to the
8 automatic issuance of benefits to eligible families. Such information shall be limited
9 to the first name, middle name, last name, address, school site code, student unique
10 identifier, and date of birth of each student eligible for free or reduced price meals
11 at school.

12 * * *

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

15 * * *

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

19 * * *

20 Section 6. The heading of Chapter 1 of Title 23 of the Louisiana Revised Statutes
21 of 1950, R.S. 23:1, 2, 3, 6(introductory paragraph), (1), (2), (3), (7), and (15), 7, 12, 14, 17,
22 73(A)(1), (C), and (E)(2), 74, 75(A), (B), (C)(1), (D)(3), and (E), 76(A), (B), and (C)(1), (2),
23 and (8)(a), 78(introductory paragraph), (1), and (5), 1600(2) and (3)(a), and 1693(J) are
24 hereby amended and reenacted and R.S. 23:1.1, 6(16) through (26), and Chapter 11-B of
25 Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:1821 through 1905,
26 are hereby enacted to read as follows:

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

2 PART I. ESTABLISHMENT, POWERS, AND DUTIES

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

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

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

18 B.C. The ~~commission~~ department shall meet the needs of all of the following:

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

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

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

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

29 (5) The taxpayers of this state for the efficient and effective expenditure of
30 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 for 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 monies 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.

* * *

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

* * *

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

* * *

A. All social service programs designed to provide economic stability to an
unemployed or underemployed individual shall be integrated with services and
programs that provide job-training, employment, vocational rehabilitation services,

1 independent living and blind services programs, and employment-related educational
2 programs and functions, along with any federal, state, and local revenues that fund
3 them, shall be integrated into the workforce development delivery system ~~to the~~
4 ~~extent feasible~~, as determined by the secretary, under the authority of the
5 ~~commission~~ department through its office of workforce development, and all
6 departments and agencies in which these programs are funded or operated shall
7 cooperate with the ~~commission~~ department to promptly effect this integration.

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

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

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

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

28 (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 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.

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

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

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

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

12 * * *

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

21 * * *

22 E.

23 * * *

24 (2) The public entities whose data and assistance shall be considered
25 necessary for the system to fulfill its purpose shall include the ~~commission~~
26 department, Louisiana Economic Development, and the Departments of Children and
27 Family Services, Education, Health, Public Safety and Corrections, ~~Social Services~~,
28 and Veterans Affairs, and in the governor's office, the Offices of Elderly Affairs,
29 Lifelong Learning, Women's Services, ~~and Workforce Development~~, and the State

1 Board of Elementary and Secondary Education, and the Board of Regents and any
2 other public entity that the ~~commission~~ department deems necessary.

3 §74. ~~Consumer~~ Customer information

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

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

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

14 B. For the purpose of facilitating the objectives of this Part, public and
15 private agencies engaged in, or responsible for, workforce development activities
16 shall enter into interagency reciprocal data exchange agreements. Such agreements
17 shall provide for automated record linkage and follow-up. To facilitate this process,
18 each agency with workforce development data shall assign to each individual
19 receiving its services a unique identifier. The individual's Social Security number,
20 unless prohibited by federal law, may to be used to link disparate data bases. Social
21 Security numbers shall only be used for the purpose of determining employment and
22 earnings outcomes of the workforce development and social services programs or
23 identifying potential fraud. Only authorized personnel shall have access to personally
24 identifiable information and Social Security numbers shall be removed from the
25 respective data sets for any additional evaluation purposes.

26 C.(1) Interagency data shall be distributed in a protected and secure manner
27 and in such a way so as not to permit the personal identification of any individual.
28 If data is exchanged electronically ~~on magnetic media~~, individually identifiable and
29 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.

* * *

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

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

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

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

§76. Forecasting

A. For the forecasting information component of the system, there shall be information on projected workforce growth₂ ~~and~~ job growth₂ and demand. The

1 workforce, ~~and~~ job growth, and demand information shall also reflect occupational
2 information related to those targeted cluster industries identified by Louisiana
3 Economic Development.

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

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

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

27 (2) The conference shall review data concerning the local and regional
28 demands for short-term and long-term employment primarily in ~~high-skills/high-~~
29 ~~wage~~ high-skills or high-wage jobs, as well as other jobs, ~~which data is generated~~

1 ~~through surveys conducted as part of the state's Internet-based job matching and~~
2 ~~labor market information system.~~ The conference shall consider such data in
3 developing its forecasts for statewide employment demand, including reviewing the
4 local and regional data for common trends and conditions among localities or regions
5 which may warrant inclusion of a particular occupation on the statewide
6 occupational forecasting list developed by the conference. Based upon its review of
7 such survey data, the conference shall also make recommendations semiannually to
8 the ~~commission~~ Workforce Investment Council on additions or deletions to lists of
9 locally targeted occupations.

10 * * *

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

18 * * *

19 §78. Workforce information systems

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

24 (1) An integrated management system for the one-stop service delivery
25 system, which includes, at a minimum, common registration and intake, screening
26 for needs and benefits, case ~~planning~~ management and tracking, training benefits
27 management, service and training provider management, performance reporting,
28 executive information and reporting, and customer-satisfaction tracking and
29 reporting.

30 * * *

1 (5) The ~~commission~~ department may procure independent verification and
 2 validation services associated with developing and implementing any workforce
 3 information system.

4 * * *

5 §1600. Benefit eligibility conditions

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

8 * * *

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

10 (i) Registered ~~registered~~ for work, ~~at, and~~

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

13 (b) The administrator may, by regulation, waive or alter either or both of the
 14 requirements of ~~this Section~~ Subparagraph (a) of this Paragraph as to such types of
 15 cases or situations with respect to which he finds that compliance with such
 16 requirements would be oppressive, or would be inconsistent with the purposes of this
 17 Chapter; but no such regulation shall conflict with R.S. 23:1591.

18 (3)(a) All of the following apply:

19 (i) The individual ~~He~~ is able to work;₂

20 (ii) The individual is available for work;₂

21 (iii) The individual is actively searching ~~and is conducting an active search~~
 22 for work.

23 * * *

24 §1693. Assignment of benefits; exemption of benefits from levy or execution;
 25 deduction for support; deduction for overissuance of ~~food stamps~~ SNAP
 26 benefits

27 * * *

28 J.(1) If a claimant is eligible to receive any temporary federal emergency
 29 increase in unemployment compensation benefits in addition to the maximum

1 weekly benefit amounts established in R.S. 23:1474 or any additional federal base
2 benefit, the claimant, when filing a claim for state unemployment compensation
3 benefits, may submit to withholding of state income taxes at a rate of four percent.
4 ~~The Louisiana Workforce Commission~~ Louisiana Works shall electronically report
5 and remit to the Department of Revenue in the same manner as an "employer" as that
6 term is defined in R.S. 47:111 and required by R.S. 47:114.

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

10 * * *

11 CHAPTER 11-B. SOCIAL SERVICE PROGRAMS

12 PART I. ORGANIZATION

13 §1821. Field offices; duties

14 A. There shall be in each parish of the state a field office of the department.

15 The department may unite two or more parishes and form a district office. All duties
16 and responsibilities set forth in this Chapter for field offices shall also apply to the
17 district offices.

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

21 §1822. Other records to be public records

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

26 §1823. Preservation of records

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

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

3 C. To reduce the space required for retaining obsolete files, the secretary
4 may request to destroy all files of documents as provided in R.S. 44:411(4), when,
5 in his opinion, the requirements of the department have been served.

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

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

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

11 (3) Approval by the secretary.

12 §1824. Transfer of appropriations to the department by other state agencies, public
13 or private entities; procedure; purpose; expenditures

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

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

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

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

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

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

3 (e) Any purpose authorized by law.

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

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

13 PART II. RULES AND REGULATIONS

14 §1831. Maximum assistance grants; legislature to approve increases or decreases

15 The department shall not increase the regular maximum grant for any
16 category of public assistance over and above that was authorized by law or by rules
17 and regulations of the former State Department of Public Welfare in effect on July
18 1, 1961, if any portion of the increase is payable out of state funds, without
19 legislative approval. Such legislative approval shall be obtained only in one of the
20 following ways:

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

23 (2) If the legislature is not in session, by a vote of a majority of the elected
24 members of each house obtained by mail ballot duly certified and promulgated by
25 the commissioner of administration. The proposal to be submitted to the members
26 of the legislature shall be prepared by the commissioner of administration from
27 information furnished by the department, and he shall immediately thereafter
28 distribute the ballots to the members, together with instructions that all ballots shall
29 be returned to him within thirty days after the date when the ballots were mailed in

1 order to be counted. The commissioner of administration shall tabulate all ballots
2 received within the thirty-day period and promulgate the results thereof, and he shall,
3 immediately upon completion of his tabulation, notify the secretary of the results.

4 §1832. Applications for assistance

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

7 §1833. Investigation of application

8 Whenever a field office receives an application for assistance, an
9 investigation and record shall promptly be made of the circumstances of the
10 customer. The object of the investigation shall be to ascertain the facts supporting
11 the application and any other information required by the rules and regulations of the
12 department.

13 §1834. Grant of assistance

14 A. Upon the completion of the investigation, the department shall decide
15 whether the customer is eligible for assistance and shall determine the amount and
16 the date which assistance begins. The department shall make an award which shall
17 be binding until the award is modified or vacated. The department shall notify the
18 applicant of its decision in writing.

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

23 §1835. Periodic reconsideration of assistance grants

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

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

7 §1836. Assistance not assignable

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

10 §1837. Fraud in obtaining assistance; withholding information concerning property,
11 income, or beneficiary, or personal circumstances

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

19 B.(1) If at any time during the continuance of public assistance to any
20 person, the customer thereof, or the spouse of the customer with whom he or she is
21 living with, is in possession or becomes in possession of any property or income in
22 excess of the amount declared at the time of application or reinvestigation of his case
23 and in such amount as would affect his needs or right to receive assistance, it shall
24 be the duty of the customer, or the spouse of the customer, to notify the department
25 of possession of such property or income, and the department shall, after
26 investigation, either cancel the assistance or alter the amount thereof in accordance
27 with the circumstances, provided, that such investigation shows that such property
28 or income does affect the need of the customer or his right to receive assistance.

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

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

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

19 (2) If during the life, or upon the death, of any person who is receiving
20 assistance it is found that the customer has received or is receiving assistance of a
21 greater amount than he is entitled to receive as a result of his failure to notify the
22 department of a change of personal circumstances as provided in this Subsection, any
23 assistance paid during the time that the customer was receiving assistance of a
24 greater amount than he was entitled to receive as a result of his failure to notify the
25 department shall be recoverable, with legal interest, from him or his estate as a debt
26 due the state by court action.

27 D. The federal government shall be entitled to share in any amount recovered
28 pursuant to the provisions of this Section. However, the amount recovered by the
29 federal government shall not exceed the amount contributed by the federal

1 government in each case. The amount due to the United States shall be promptly
2 paid or credited upon collection to the designated agency of the federal government
3 by the department.

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

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

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

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

13 (2) During the period of ineligibility, no household shall receive increased
14 benefits under the program as a result of being disqualified pursuant to this
15 Subsection.

16 §1838. Public Assistance Fraud Hot-Line

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

22 §1838.1. Attempting or aiding to obtain assistance fraudulently; penalties

23 Any person who obtains or attempts to obtain or aids and abets anyone to
24 obtain assistance from the department by means of any false statement,
25 misrepresentation, or other fraudulent device or violates the provisions of R.S.
26 23:1837 shall be guilty of theft as provided by R.S. 14:67.

27 §1838.2. Regional fraud detection units; investigative subpoenas and subpoenas
28 duces tecum

29 A. Louisiana Works shall establish, maintain, and provide for fraud detection

1 functions in order to detect fraud in obtaining public assistance through staff in each
2 region of the state. Each fraud detection unit shall report each incident of public
3 assistance fraud to the fraud detection section on a monthly basis by the tenth day of
4 each succeeding month. An annual report of the activities of all fraud detection units
5 within a state fiscal year shall be submitted by the fraud detection section to the
6 Senate and House committees on labor and industrial relations by September first.

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

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

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

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

26 C. At any time before the return date specified in the administrative
27 investigation subpoena or subpoena duces tecum or within twenty days after the
28 subpoena or subpoena duces tecum has been served, whichever is earlier, a petition
29 stating good cause for a protective order to extend the return date, or to modify or set

1 aside the subpoena, may be filed in the district court having civil jurisdiction in the
2 parish where the person, business, or other legal entity served with the subpoena
3 resides or where the principal place of business is located.

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

11 §1838.3. Fraud Detection Fund

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

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

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

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

22 (b) An amount equal to that deposited in accordance with R.S. 23:1852.8(G).

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

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

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

9 §1839. Application; terms mandatory

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

12 §1840. Prima facie proof of pleadings

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

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

22 PART III. SOCIAL SERVICES PROGRAMS

23 SUBPART A. AID TO NEEDY FAMILIES

24 §1851. Legislative intent

25 A. It is the intent of the legislature that families in Louisiana be strong and
26 economically self-reliant so as to minimize their dependence on government benefits
27 for basic needs. To accomplish this goal, it is the intent of this Subpart that
28 Louisiana Works ensures that all cash assistance customers, with the exception of
29 persons with disabilities or who are incapacitated, are actively and universally

1 engaged in meaningful activities designed to enable their transition from cash
2 assistance to self-reliance. It is the further intent that cash assistance customers
3 demonstrate and are expected to exercise active and diligent personal responsibility
4 in achieving self-reliance through employment and increased workplace literacy. All
5 appropriate state agencies responsible for employment, training, and educating
6 Louisiana's citizens are expected to cooperate in the pursuit of this goal.

7 B. Louisiana Works shall submit written reports on the status of
8 implementation of these provisions to the Performance Review Subcommittee of the
9 Joint Legislative Committee on the Budget annually in March at the same time as the
10 mid-year performance progress report is submitted as provided in R.S.
11 39:87.3(A)(2). The written reports shall include but not be limited to, data providing
12 performance measures assessing the success of performance-based agreements, job
13 readiness, workplace literacy, job development services, and any additional data
14 necessary as determined by the committee.

15 §1852. Aid to needy families; definitions

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

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

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

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

27 (3) "Amusement ride" means any mechanized device or combination of
28 devices that carries passengers along, around, or over a fixed or restricted course for
29 the purpose of giving its passengers amusement, pleasure, thrills, or excitement.

1 "Amusement ride" also includes inflatables.

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

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

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

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

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

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

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

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

1 or stud through the ear.

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

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

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

9 (12) "Department" means Louisiana Works.

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

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

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

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

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

28 (16) "Family Success Agreement" means the mutually developed contract
29 between a FITAP customer, on behalf of their family, and the department that sets

1 forth mutual and time-bound responsibilities, expectations, activities, and goals
2 designed to transition a customer from public assistance to self-sufficiency.

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

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

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

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

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

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

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

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

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

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

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

29 (b) Is capable of the following:

1 (i) Initiating a request for authorization of a purchase of tangible personal
2 property.

3 (ii) Disbursing currency from an account.

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

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

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

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

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

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

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

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

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

1 sanction or penalty, known as a child-only case, is considered in determining
2 eligibility.

3 §1852.1. Family Assistance Programs; prohibitions; requirements

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

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

12 §1852.2. Family Independence Temporary Assistance Program; benefits; eligibility

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

16 (a) On behalf of a dependent child.

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

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

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

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

29 (2) Any amount paid to or an increase in payment on behalf of a woman who

1 has not medically verified that she is in the sixth month of pregnancy.

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

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

9 §1852.3. FITAP benefits; prohibited uses

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

12 (1) A liquor store.

13 (2) A gaming establishment.

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

17 (4) An adult bookstore.

18 (5) An adult paraphernalia store.

19 (6) A sexually oriented business.

20 (7) A commercial body art facility.

21 (8) A nail salon.

22 (9) A jewelry store.

23 (10) An amusement ride.

24 (11) An amusement attraction.

25 (12) A bail bonds company.

26 (13) A bar.

27 (14) A cruise ship.

28 (15) A psychic business.

29 (16) An establishment where persons under eighteen years of age are not

1 permitted to enter.

2 B. A customer shall not use such benefits in any electronic benefits transfer
3 transaction at a retailer for the purchase of 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. 23:1852.

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

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

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

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

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

16 §1852.4. Public assistance customers; parenting skills education; condition of
17 eligibility

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

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

1 §1852.5. Termination of eligibility; twenty-four-month limit; refusal of employment

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

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

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

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

14 C. The secretary of the department may promulgate rules and regulations
15 which establish exceptions to the time limitations provided in this Section to the
16 extent that funds are available for this purpose; however, any exception shall be
17 contingent upon the customer maintaining compliance with the STEP Family
18 Success Agreement pursuant to R.S. 23:1852.6.

19 §1852.6. Employment, education, and related services for FITAP customers;
20 responsibilities of the secretary, agencies, and customers

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

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

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

1 (b) Workplace literacy and related assessments.

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

5 (d) Temporary and permanent job placements.

6 (e) Subsidized employment services.

7 (f) On-the-job training.

8 B. In order to receive cash assistance, an applicant who is work-eligible as
9 defined in R.S. 23:1852 shall fulfill each requirement set forth in his Family Success
10 Agreement and shall participate in the employment program provided for in
11 Subsection A of this Section.

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

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

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

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

25 §1852.7. Retailer fees for access to cash assistance benefits

26 Retailers participating in the cash assistance electronic benefits transfer
27 system shall not be prohibited from charging or assessing a fee against cash
28 assistance customers who are accessing benefits for the sole purpose of obtaining
29 cash. Such fee shall not exceed the retailer's normal and customary check cashing

1 fee assessed against the general public. Retailers shall not establish maximum limits
2 for customer access to cash assistance benefits.

3 §1852.8. Prohibited retailers, goods, and services; penalties; appeals

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

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

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

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

10 (4) Jewelry as defined in R.S. 23:1852.

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

13 (1) A liquor store.

14 (2) A gaming establishment.

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

18 (4) An adult bookstore.

19 (5) An adult paraphernalia store.

20 (6) A sexually oriented business.

21 (7) A commercial body art facility.

22 (8) A nail salon.

23 (9) A jewelry store.

24 (10) An amusement ride.

25 (11) An amusement attraction.

26 (12) A bail bonds company.

27 (13) A bar.

28 (14) A cruise ship.

29 (15) A psychic business.

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

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

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

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

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

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

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

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

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

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

29 (4) Authority to impose the fines provided for in Subsection D of this

1 Section shall commence on July 1, 2027.

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

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

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

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

18 §1853. Investigations and reports

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

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

26 §1854. Eligibility for assistance; amount and conditions of aid

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

1 §1854.1. Recovery of overpayments

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

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

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

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

15 §1854.2. Individuals convicted of certain felonies; eligibility for assistance

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

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

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

25 §1855. Judicially appointed curator

26 In lieu of selecting a payee to receive assistance, Louisiana Works, pursuant
27 to federal regulations, may require the referral of the case to the district court for a
28 judicially appointed curator. The court may appoint a capable, interested, and
29 willing third person, irrespective of whether he is related to the child within any of

1 the degrees of relationship set forth in Section 406(a) of Title IV of the Social
2 Security Act, to receive the payments and use them in the best interest of the child.
3 The curator shall be accountable at whatever intervals are specified by the court and
4 the court shall require a bond or whatever other security is deemed necessary by the
5 court to ensure the faithful performance of the curator's duties. The curator, upon
6 being appointed, shall take the oath and letters of authority may be issued to him. In
7 those instances in which the department requires the case to be referred to the court
8 for the appointment of a curator, each local governing authority shall have the option
9 in any case to provide compensation to the curator.

10 §1856. Receipt of assistance payments

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

16 §1857. Distribution of funds in violation of provisions

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

19 §1858. Administration of emergency assistance to needy families with children

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

27 §1859. Kinship Care Subsidy Program

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

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

3 B. For purposes of this Section:

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

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

8 (3) "Minor relative" means a grandchild, step-grandchild, or other minor
9 relative not the natural or adopted child of the kinship caregiver who is under
10 eighteen years of age and who meets the definition of "dependent child" specified
11 in R.S. 23:1852.

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

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

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

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

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

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

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

28 E. Louisiana Works shall promulgate rules and regulations to provide for any
29 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 F. The subsidy provided for in this Section shall be administered by
6 Louisiana Works and funded through the TANF block grant.

7 G.(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.

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

1 of any of the following:

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

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

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

5 (d) Jewelry as defined in R.S. 23:1852.

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

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

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

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

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

15 SUBPART B. WELFARE REFORM ACT OF 1995

16 §1881. Submission of quarterly reports to the legislature

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

23 §1881.1. Adult basic education; literacy training; vocational educational training

24 To the extent allowed by federal law and notwithstanding any other state law,
25 rule, or regulation to the contrary, adult basic education and literacy training shall be
26 included in the definition of vocational educational training for purposes of
27 calculating work participation rates under the Temporary Assistance for Needy
28 Families programs. This law shall apply to any person receiving such education or
29 training, regardless of the person's age.

1 §1881.2. Educational opportunities to promote self-sufficiency

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

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

16 (1) Courses for obtaining general equivalency degrees.

17 (2) Adult basic education and literacy training.

18 (3) Vocational-technical training.

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

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

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

29 (3) Funds that have been received from the federal government shall be

1 considered available and uncommitted if the requisite approval for the expenditure
2 of such funds in accordance with the provisions of R.S. 39:131 et seq. has not been
3 obtained.

4 E. Nothing in this Section shall prohibit the legislature from appropriating
5 state funds for the educational activities defined in this Section.

6 §1881.3. Earned income disregards for certain TANF customers

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

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

14 C. Months in which a customer receives the statutory earned income
15 disregard pursuant to Subsection A of this Section shall not count toward the state
16 twenty-four-month limit provided in R.S. 23:1852.5(A)(1).

17 D. For purposes of this Section, "Temporary Assistance for Needy Families"
18 or "TANF" means the federal block grant program established under the Personal
19 Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law
20 104-193.

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

24 §1881.4. Individual development account

25 A. For purposes of this Section, "individual development account" shall
26 mean a financial account to be used for the purposes specified in this Section and
27 established in the name of an individual account holder who is eligible for the
28 individual development account program based on established income eligibility
29 determination.

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

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

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

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

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

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

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

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

19 (d) For home ownership.

20 (e) For business capitalization.

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

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

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

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

4 (1) The establishment and administration of the individual development
5 account program.

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

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

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

12 §1881.5. Incentive Award Program; dropout reduction; teen pregnancy reduction

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

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

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

19 (2) Develop the procedure to be used to collect relevant data to be used to
20 determine progress.

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

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

28 C. Through the Incentive Award Program, the department shall provide a
29 financial award to each of the ten parishes identified in the annual progress report

1 that have demonstrated the most significant reduction in dropout rates, as defined by
2 rule of the Department of Education, and in teen pregnancy rates as defined by rule
3 of Louisiana Works. The financial award shall be distributed to the ten parish school
4 systems. These awards may be expended by the parish school system to implement
5 innovative community-based and school-based programs designed to further reduce
6 the dropout rate and the teen pregnancy rate for the parish and for instructional
7 enhancement programs.

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

13 §1881.6. TANF eligibility; teen parent living arrangements; work participation
14 requirements; submission of waiver

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

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

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

29 (c) The teen parent shall be allowed to receive TANF benefits on behalf of

1 himself, and his child, while temporarily living outside an adult-supervised living
2 arrangement as provided in this Subsection.

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

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

17 §1881.7. Waivers for victims of domestic violence

18 A. The secretary shall waive, for as long as necessary, pursuant to a
19 determination of good cause, any public assistance program requirement that will
20 create obstacles for a victim of domestic violence to escape a domestic violence
21 situation, including but not limited to time limits on receipt of assistance, work,
22 training or educational requirements, limitations of TANF requirements, residency
23 requirements, and any other program requirements which will create obstacles for
24 the victim to escape violence or penalize that victim for past, present, and potential
25 abuse. However, a victim of domestic violence shall develop a plan that specifies
26 the necessary actions, goals, and services that may enable the victim to become free
27 of a domestic violence situation. Such plan shall be made a component of the
28 customer's Family Success Agreement.

29 B. Any information obtained pursuant to this Section regarding a victim of

1 domestic violence shall be used solely for the purposes provided for in Subsection
2 A of this Section or for referral to supportive services and shall not be released to any
3 third party, including a governmental agency unless such agency is authorized to
4 obtain such information by another provision of law.

5 §1881.8. Drug testing for certain adult customers of public assistance; legislative
6 policy; procedures

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

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

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

27 C.(1) The required drug testing program shall require a customer to complete
28 an education and rehabilitation program upon the initial identification of the
29 customer as an illegal drug user verified by a positive test result as a prerequisite to

1 continued receipt of benefits. Further, the drug testing program shall provide for the
2 suspension of participation in such entitlement program for a customer subsequently
3 identified by a verified positive test result as an illegal drug user. However, in no
4 event shall participation in such entitlement program be suspended while the
5 customer is taking part in the education and rehabilitation program or until an
6 education and rehabilitation program is available to the customer.

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

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

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

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

24 E. The secretary of Louisiana Works shall prepare a written statistical report
25 on the program and submit the report to the legislature on or before September 1,
26 2027, and annually thereafter.

27 SUBPART C. ADMINISTRATION OF WELFARE BENEFITS PAYABLE TO
28 MENTALLY INCAPABLE INDIVIDUALS

29 §1891. Curator for receipt and administration of public assistance benefits

30 Any mentally incapable person who is entitled to public assistance or who

1 has the right to apply for public assistance but cannot make application because of
2 his incompetency and who does not have a duly appointed and qualified legal
3 representative, may have a curator appointed for him solely for the purpose of
4 representing his interest in qualifying for, receiving and administering public
5 assistance benefits. The appointment shall be made by any court of competent
6 jurisdiction, subject to the proceedings hereinafter outlined.

7 §1892. Necessity for appointment; procedure

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

22 §1893. Bond; account; oath and letters

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

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

1 §1894. Final discharge of curator

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

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

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

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

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

14 §1895. Costs

15 The entire cost of the proceedings herein authorized shall not exceed (a) in
16 uncontested cases the sum of ten dollars, exclusive of the fee of the special counsel
17 who may be appointed and of the court reporter; (b) and in contested cases shall not
18 exceed ten dollars, exclusive of the fee of the special counsel who may be appointed
19 and of the court reporter.

20 SUBPART D. MISCELLANEOUS PROVISIONS

21 §1901. Surviving spouse of public assistance customers; retention of benefits
22 received during month of death

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

27 §1902. Exemption of income and resources

28 The secretary of Louisiana Works is hereby authorized to adopt income and
29 resources exemption policies to the extent necessary to conform with the federal

1 Economic Opportunity Act, any social security provision, and any other laws of
2 Congress to obtain federal block grant or matching funds for the state's public
3 assistance program. Such income and resources exemption policies shall prevail in
4 the event they conflict with R.S. 23:1854.

5 §1903. Cooperation with administrative agencies relative to interchange of
6 information

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

12 §1904. Revision of standard of need; temporary assistance for needy families;
13 general assistance

14 A. Louisiana Works and the Louisiana Department of Health shall jointly
15 revise the standard of need for the Family Independence Temporary Assistance
16 Program and the public assistance program each year, basing such standard on the
17 Annual Update of the Poverty Income Guidelines published by the United States
18 Department of Health and Human Services. The standard shall reflect the higher of
19 the southern and national averages. The departments shall cause such revised
20 standard to become effective on January first of each year.

21 B. Implementation of this provision shall be contingent on Louisiana Works
22 and the Louisiana Department of Health certifying to the commissioner of
23 administration that the revision will not increase the total state dollar expenditure for
24 the two departments.

25 §1905. Electronic authorization and distribution of public assistance benefits and
26 services

27 A. Louisiana Works shall contract for the development and implementation
28 of an electronic issuance system for the authorization and distribution of benefits and
29 services provided by public assistance programs. Such programs shall include but

1 not be limited to issuance of benefits and services of the Family Independence
2 Temporary Assistance Program (FITAP), and shall require that all customers who
3 participate in programs for which benefits and services are authorized and distributed
4 through the system shall obtain benefits through the electronic issuance system,
5 subject only to exceptions as necessary for the effective functioning of the program.

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

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

10 (2) Plastic cards for program clients.

11 (3) Training of department personnel.

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

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

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

19 C. The contract program shall also:

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

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

28 (3) Provide that the cash back provisions of the electronic issuance system
29 shall allow the merchant to charge the customer reasonable and customary charges

1 for the provision of cash back services.

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

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

8 Section 7. R.S. 23:73(E)(2) is hereby amended and reenacted as follows:

9 §73. Comprehensive labor market information system

10 * * *

11 E.

12 * * *

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

22 Section 8. R.S. 23:1693(I)(1), (2), and (3) are hereby amended and reenacted to read
23 as follows:

24 §1693. Assignment of benefits; exemption of benefits from levy or execution;
25 deduction for support; deduction for overissuance of ~~food stamps~~ SNAP
26 benefits

27 * * *

28 I.(1) ~~Upon and subject to implementation by the United States Department~~
29 ~~of Agriculture and agreement with the Louisiana Department of Children and Family~~

1 ~~Services for and on behalf of the state food stamp program, the administrator of the~~
2 ~~office of employment security shall develop the procedure for reimbursement of all~~
3 ~~related administrative costs of any and all performed activities by the office of~~
4 ~~employment security under this Subsection attributable to the repayment of~~
5 ~~uncollected overissuance of food stamp allotments:~~

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

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

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

22 (ii) Any amount determined pursuant to an agreement, if any, between the
23 individual and the Louisiana Department of ~~Children and Family Services under~~
24 Health pursuant to Section 13(c)(3)(A) of the Food Stamp Act of 1977, 7 U.S.C.
25 2022(c)(3)(A).

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

29 (2) Any amount deducted and withheld ~~under~~ pursuant to this Subsection

1 shall be paid by the ~~administrator~~ unemployment insurance program to the ~~Louisiana~~
2 ~~Department of Children and Family Services, or its designated office~~ SNAP
3 program.

4 (3) Any amount deducted and withheld from payable benefits ~~under~~ pursuant
5 to this Subsection shall for all purposes be treated as if it were paid to the individual
6 as unemployment compensation and paid by such individual ~~to the Louisiana~~
7 ~~Department of Children and Family Services~~ as repayment of the uncollected
8 overissuance of ~~food stamp allotments~~ SNAP benefits.

9 * * *

10 Section 9. R.S. 36:3(3), 4(A)(introductory paragraph) and (6), the heading of Chapter
11 7 of Title 36 of the Louisiana Revised Statutes of 1950, 301, 308(A) and (B), and 309 are
12 hereby amended and reenacted to read as follows:

13 §3. Definitions

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

16 * * *

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

22 * * *

23 §4. Structure of executive branch of state government

24 A. In accordance with the provisions of Article IV, Section 1 and Article
25 XIV, Section 6 of the Constitution of Louisiana, all offices, boards, commissions,
26 agencies, and instrumentalities of the executive branch of state government, whether
27 constitutional or statutory, and/or their functions, powers, duties, and responsibilities
28 shall be allocated, either in the Act by which this Title was created or by legislation
29 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

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

B. ~~The Louisiana Workforce Commission~~ Louisiana Works, through its offices and officers, shall administer and enforce laws and programs designed to protect the economic and physical well-being of Louisiana's workforce and pursue the availability of the workforce to meet the needs of the economy. The ~~commission~~ department shall coordinate and administer programs conducted by the state, or jointly with federal agencies, in the area of labor-management relations, manpower evaluation and training, vocational rehabilitation, independent living, blind services, certain social services, employment, unemployment and workers' compensation, job safety, and the licensing and regulation of certain types of work. The ~~commission~~ department shall be responsible for delivering workforce development solutions for businesses and economic sectors of the economy and coordinating with other state

1 agencies and offices for the delivery of workforce development solutions as provided
2 for in R.S. 23:1801. The ~~commission~~ department shall perform functions related to
3 administration of the community services block grant for which provision is initially
4 made in the Omnibus Budget Reconciliation Act of 1981.

5 C.(1) ~~The Louisiana Workforce Commission~~ Louisiana Works shall be
6 composed of the executive office of the secretary, the office of management and
7 finance, the office of workforce development, the office of unemployment insurance
8 administration, the office of workers' compensation administration, ~~the office of~~
9 ~~occupational information services~~, and such other offices as shall be created by law.
10 The Louisiana Workforce Investment Council, as more specifically provided in R.S.
11 23:2042 et seq., shall be placed within the executive office of the secretary.

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

18 * * *

19 §308. Offices; purposes and functions

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

22 B.(1) The office of workforce development shall perform the functions of
23 the state relating to the administration, enforcement, supervision, and direction of
24 programs related to the formulation of standards and policies promoting the welfare
25 of wage-earning women; the employment of individuals with disabilities; vocational
26 rehabilitation; occupational information services; independent living; blind services;
27 customer service delivery; employment; training; minimum wage standards; welfare
28 of workers and labor disputes, including the promotion of voluntary conciliation of
29 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) Employment Security board of review (R.S. 23:1621 et seq. and particularly R.S. 23:1652).

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

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

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

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

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

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

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

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

D. The powers, duties, functions, and responsibilities relating to Louisiana Rehabilitation Services (R.S. 23:3001 et seq.) are hereby transferred to ~~the Louisiana Workforce Commission~~ Louisiana Works to be exercised and performed by the

1 ~~executive director~~ secretary, in accordance with the provisions of R.S. 36:921 et seq.

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

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

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

7 F. The powers, duties, functions, and responsibilities related to the
8 Temporary Assistance for Needy Families (TANF) program, including employment
9 and training programs, are hereby transferred to Louisiana Works (R.S. 23:1821 et
10 seq.) to be exercised and performed by the secretary, in accordance with the
11 provisions of Part II of Chapter 22 of Title 36, R.S. 36:851 et seq.

12 Section 10. R.S. 46:301(A)(1) through (5), (C)(2), and (D)(2), (3), and (5), 321(2)
13 through (5), 322, 323(introductory paragraph), (3), and (4), 324(A), (B), (C), (D), and
14 (E)(introductory paragraph), (1), and (2)(introductory paragraph), 325(introductory
15 paragraph), 326 through 328, 331(A)(1) through (3), 332, 352(1)(b), 932(12), and 936 are
16 hereby amended and reenacted to read as follows:

17 §301. Legislative findings; Supplemental Nutrition Assistance Program educational
18 component; reporting requirements

19 A. The legislature finds and declares the following:

20 (1) The program formerly known as "food stamps" was renamed the
21 Supplemental Nutrition Assistance Program (SNAP) in October 2008. SNAP is
22 administered at the federal level by the United States Department of Agriculture
23 Food and Nutrition Service (FNS) and at the state level by the Louisiana Department
24 of ~~Children and Family Services~~ Health, hereafter referred to as the "department".

25 (2) SNAP is the cornerstone of the federal food assistance programs and
26 provides crucial support to needy households and to those making the transition from
27 ~~welfare~~ public assistance to work.

28 (3) By federal policy, SNAP benefits may be used only for the purchase of
29 nonalcoholic beverages and food which is not hot at the point of sale and may not be

1 used to purchase any nonfood items.

2 (4) The population of Louisiana has historically encompassed one of the
3 highest proportions of SNAP ~~recipients~~ customers in the nation.

4 (5) Federal regulations allow states to administer educational services within
5 the SNAP. These program. ~~Such~~ services are known as SNAP Education, and are
6 designed to teach food budgeting, proper nutrition, and healthy food choices to
7 SNAP ~~recipients~~ customers.

8 * * *

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

11 * * *

12 (2) Coordinate outreach and educational efforts to the greatest possible
13 extent with those of the Women, Infants, and Children (~~WIC~~) Program, referred to
14 in this Subpart as the "WIC Program", of this state.

15 D. On or before March first annually, the department shall submit to the
16 House Committee on Health and Welfare and the Senate Committee on Health and
17 Welfare a comprehensive report on the SNAP Education Program. The report shall
18 include but not be limited to the following items:

19 * * *

20 (2) Data on SNAP Education ~~participants~~ customers, including a description
21 of the ideal target population, actual number of ~~participants~~ customers served,
22 geographic distribution of ~~participants~~ customers, and ~~participant~~ customer
23 demographics.

24 (3) A description of program operations, including details on selection of
25 ~~participants~~ customers, service delivery, and activities conducted by all SNAP
26 Education program contractors and subcontractors.

27 * * *

28 (5) Analysis of program outcomes and other significant impacts ~~to~~ on SNAP
29 Education service ~~recipients~~ customers.

30 * * *

1 SUBPART E-4. SNAP WORKFORCE TRAINING AND EDUCATION

2 ~~PILOT INITIATIVE~~

3 §321. Findings

4 The legislature hereby finds and declares the following:

5 * * *

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

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

13 (4) Federal regulations (~~7 CFR 273.24~~), 7 CFR 273.24, limit the duration of
14 receipt of SNAP benefits by nonworking, able-bodied adults without dependents who
15 do not qualify for certain exemptions to a total of three months in any three-year
16 period. However, states may submit to the federal government applications,
17 commonly known as "waivers", to have this three-month limit waived. If approved,
18 such waivers allow able-bodied, nonworking, nonexempt adults to receive SNAP
19 benefits for an unlimited duration ~~provided that~~ if those persons meet other eligibility
20 standards of the program. Nationally, waivers of this type have become the standard
21 in SNAP rather than the exception, as forty states and territories, including
22 Louisiana, had a statewide or territory-wide waiver in effect and six other states and
23 territories had a partial-state or partial-territory waiver in effect as of January 1,
24 2014.

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

29 §322. Definitions

30 As used in this Subpart, the following terms have the meaning ascribed to

1 them in this Section:

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

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

6 ~~(2) (3)~~ "Department" means the Louisiana Department of ~~Children and~~
7 ~~Family Services~~ Health.

8 ~~(3) (4)~~ "FNS" means the Food and Nutrition Service of the United States
9 Department of Agriculture, the office of the federal government that administers
10 SNAP.

11 ~~(4) "Participant" means a recipient of SNAP benefits who participates in the~~
12 ~~pilot initiative provided for in this Subpart.~~

13 (5) ~~"Pilot initiative"~~ "Program" means the workforce training and education
14 ~~pilot initiative~~ program provided for in this Subpart.

15 (6) "SNAP" means the Supplemental Nutrition Assistance Program
16 administered at the federal level by the Food and Nutrition Service of the United
17 States Department of Agriculture and at the state level by the Louisiana Department
18 of ~~Children and Family Services~~ Health.

19 §323. Goals

20 The goals of the ~~pilot initiative~~ shall program include, without limitation, the
21 following:

22 * * *

23 (3) To provide support to SNAP ~~recipients~~ customers who choose to further
24 their education.

25 (4) To yield a model for incentivizing training and education for public
26 assistance ~~recipients~~ customers that can be replicated throughout the state.

27 §324. Workforce training and education ~~pilot initiative~~ program; creation; functions

28 A. A workforce training and education ~~pilot initiative~~ program is hereby
29 created within SNAP for the purpose of improving employment opportunities for
30 nonworking SNAP ~~recipients~~ customers and enhancing workforce readiness. The

1 department shall administer the ~~pilot initiative~~ program in accordance with the
2 provisions of this Subpart.

3 B. The department shall establish the ~~pilot initiative~~ program in a parish with
4 a population of more than one hundred thousand and less than one hundred fifty
5 thousand according to the latest federal decennial census and in which is located the
6 main campus of a public four-year college or university.

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

11 D.(1) As a necessary precondition for implementing the ~~pilot initiative~~
12 program, the department shall ensure that the limitation on duration of the receipt of
13 SNAP ~~benefit recipients~~ benefits by nonexempt ABAWDs provided in 7 CFR
14 273.24 is effective in the parish in which the ~~pilot initiative~~ program is established.

15 (2) If nonexempt ABAWDs in the parish in which the ~~pilot initiative~~
16 program is established are not subject to any limitation on duration of eligibility for
17 receipt of SNAP benefits as a result of a waiver granted to the state by FNS, then the
18 department shall cause ~~such~~ the waiver to be rescinded, cancelled, or otherwise
19 rendered null and without effect for that parish.

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

23 E. As its essential function, the ~~pilot initiative~~ program shall provide to each
24 ~~participant~~ customer, at the time of benefits eligibility redetermination, a six-month
25 extension of SNAP benefits conditioned upon submission of sufficient
26 documentation, as determined by the department, of ~~one or more~~ any of the
27 following:

28 (1) The ~~participant~~ customer meets ~~one or more~~ any of the following criteria
29 relative to educational advancement:

30 (a) In the previous six months, the ~~participant~~ customer satisfied

requirements established by the department in rule relative to enrollment in an accredited postsecondary ~~educational~~ education institution that grants associate or baccalaureate degrees.

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

(c) In the previous six months, the ~~participant~~ customer satisfied requirements established by the department in rules relative to enrollment in a general education development test preparation course.

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

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

* * *

§325. Duties of ~~participants~~ customers

Each ~~participant~~ customer in the pilot initiative shall do all of the following:

* * *

§326. Duties of the department

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

(1) Reinstatement in the parish ~~in which the pilot initiative~~ where 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 ~~participants~~ customers who meet workforce training or education requirements of the ~~pilot initiative~~ program.

(3) Any other functions as may be necessary for the department to establish

1 and operate the ~~pilot initiative~~ program in a manner ~~which~~ that conforms with
2 applicable federal and state laws and regulations.

3 B. The department shall enter into any cooperative endeavor agreements,
4 contracts, and other arrangements with ~~the Louisiana Workforce Commission~~, any
5 other government agency, ~~and~~ or any community partner as may be necessary to
6 ensure adequate availability of workforce training to ~~participants~~ customers in the
7 parish in which the ~~pilot initiative~~ program is established.

8 C. The department shall institute all departmental policies and procedures
9 necessary to ensure that the process for SNAP benefits eligibility redetermination in
10 the parish ~~in which the pilot initiative~~ where the program is established meets all of
11 the following requirements:

12 (1) Eligibility redetermination for each ~~participant~~ customer occurs no less
13 frequently than once every six months.

14 (2) Eligibility redetermination for each ~~participant~~ includes customer shall
15 include a procedure for collecting and verifying documentation from the ~~participant~~
16 customer of his engagement in a workforce training or education activity as provided
17 in R.S. 46:324.

18 D.(1)(a) ~~Prior to commencement of the pilot initiative, the~~ The department
19 shall transmit notice in writing to all ABAWDs in the parish ~~in which the pilot~~
20 ~~initiative~~ where the program is established indicating that continuation of benefits
21 beyond the three-month limit that is to be reinstated will be conditioned upon
22 engagement by ~~participants~~ customers in acceptable workforce training or education
23 activities.

24 (b) ~~On separate days prior to commencement of the pilot initiative, the~~ The
25 department may transmit to ABAWDs in the parish ~~in which the pilot initiative~~
26 where the program is established duplicates of the notice provided for in
27 Subparagraph (a) of this Paragraph, and may take any other actions it deems
28 necessary to provide ABAWDs with adequate notification of the changes in SNAP
29 benefits eligibility to be instituted through the ~~pilot initiative~~ program.

30 (2) ~~Within two weeks of commencement of the pilot initiative, the~~ The

1 department shall transmit to each ~~participant~~ customer a form that provides a clear
2 description of requirements for continuation of benefits eligibility to be instituted
3 through the ~~pilot initiative~~ program, and a space in which the ~~participant~~ customer
4 may affirmatively acknowledge that he understands these requirements.

5 (3) During the operation of the ~~pilot initiative~~ program, the department shall
6 promptly notify each ~~participant~~ customer of any decision concerning his eligibility
7 for SNAP benefits made pursuant to the redetermination process provided for in
8 Subsection C of this Section.

9 E. The secretary of the department shall promulgate all rules and regulations
10 in accordance with the Administrative Procedure Act as ~~may be~~ necessary to
11 implement the provisions of this Subpart.

12 §327. Notification to legislative committees; reporting

13 A. After receiving federal approval as provided in R.S. 46:328 and before
14 commencement of the pilot initiative, the department shall transmit to the members
15 of the House Committee on Health and Welfare and to the members of the Senate
16 Committee on Health and Welfare a written notice that addresses the purpose and
17 function of the ~~pilot initiative and indicates the commencement date of the initiative~~
18 program. The department may transmit the notice required by this Subsection via
19 electronic mail.

20 B. ~~No later than twelve months after commencement of the pilot initiative,~~
21 ~~and at least annually thereafter, the~~ The department shall annually submit a written
22 report providing a summary and evaluation of outcomes of the ~~pilot initiative~~
23 program to the House Committee on Health and Welfare and the Senate Committee
24 on Health and Welfare. The department may include the report with its submission
25 of any other report pertaining to SNAP, including without limitation any report
26 required by Subpart E-2 of this Part.

27 §328. ~~Effectiveness contingent upon federal approval; termination~~ Termination of
28 the program

29 A. ~~Implementation of the pilot initiative shall be contingent upon approval~~
30 ~~by FNS.~~

1 B.(1) Subject to legislative oversight as provided in the Administrative
2 Procedure Act, R.S. 49:950 et seq., the department may terminate the ~~pilot initiative~~
3 program by emergency rule if the secretary of the department determines that
4 workforce participation outcomes or educational attainment have not improved to
5 a satisfactory degree as a result of the ~~initiative~~ program.

6 ~~(2) The secretary of the department is hereby authorized and directed to~~
7 ~~collaborate with the secretary of the Louisiana Workforce Commission in workforce~~
8 ~~participation outcomes evaluation prior to issuing any emergency rule to terminate~~
9 ~~the pilot initiative.~~

10 SUBPART E-5. SNAP WORK REQUIREMENTS

11 §331. Findings and intent

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

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

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

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

30 * * *

§332. Supplemental Nutrition Assistance Program work requirements; restriction on waivers and exemptions

A. Unless expressly required by federal law, the Louisiana Department of ~~Children and Family Services~~ Health shall not seek, apply for, accept, or renew any waiver of work requirements established by the Supplemental Nutrition Assistance Program under 7 U.S.C. 2015(o).

B. The Louisiana Department of ~~Children and Family Services~~ Health shall not exercise the state's option to provide any exemptions from the work requirement under 7 U.S.C. 2015(o)(6)(F).

* * *

§352. Definitions

As used in this Part, the following definitions apply:

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

* * *

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

* * *

§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, on August 15, 1995, or the Louisiana Department of Health on October 1, 2025, and to distribute those funds in accordance with and consistent with R.S. 46:936.

* * *

§936. Statement of intent

A. It is the intention of the legislature that, insofar as is practical and

1 consistent with the efficient administration of state government, programs and
2 services for the elderly population of Louisiana, with the exception of any program
3 administered by the Department of Children and Family Services or the Louisiana
4 Department of Health on August 15, 1995, or the Louisiana Department of Health
5 on October 1, 2025, shall eventually be consolidated within the office of elderly
6 affairs, to be administered at the local level by the sixty-four parish voluntary
7 councils on aging.

8 B. It is further the intention of the legislature that the ~~Office of Elderly~~
9 ~~Affairs~~ office of elderly affairs administer all federal funds appropriated, allocated,
10 or otherwise made available to the state for services to the elderly, whether by block
11 grant or in any other form, with the exception of funds for programs administered by
12 the Department of Children and Family Services or the Louisiana Department of
13 Health on August 15, 1995, or the Louisiana Department of Health on October 1,
14 2025. The office of elderly affairs shall distribute such funds in accordance with
15 appropriate state and federal requirements and consistent with this Section.

16 Section 11. R.S. 46:56(A), (B)(1), and (L), 107(A)(1), 231.4(A), (D), and (F)(2),
17 352(1)(a) and (2)(a), 932(12), and 936 are hereby amended and reenacted and R.S.
18 46:107(E) is hereby enacted to read as follows:

19 §56. Applications and client case records; definitions; confidentiality; waiver;
20 penalty

21 A. Applications for assistance and information contained in case records of
22 clients of the Louisiana Department of Health, the Department of Children and
23 Family Services, Louisiana Works, or the office of elderly affairs, for the purpose
24 of adult protective services, shall be confidential and, except as otherwise provided,
25 it shall be unlawful for any person to solicit, disclose, receive, make use of, or to
26 authorize, knowingly permit, participate in, or acquiesce in the use of applications
27 or client case records or the information contained therein for any purpose not
28 directly connected with the administration of the programs of the department.

29 B.(1)(a) For the purposes of this Section, "department" means the Louisiana
30 Department of Health, the Department of Children and Family Services, and the

adult protection agency as provided in R.S. 15:1503.

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

(ii) The provisions of this Section that are applicable to the department as defined in Paragraph (1) of this Subsection 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, XVI, XIX, or XX of the Social Security Act and under the Food Stamp Act, Public Law 91-671. Under these provisions, an opportunity for a hearing shall be granted at the state level to any applicant, ~~or recipient~~, or customer who makes a timely request for a hearing because his claim for assistance, services, or nutrition assistance benefits is denied or is not acted upon with reasonable promptness and to any recipient who is aggrieved by an agency action resulting in suspension, reduction, discontinuance, or termination of benefits.

* * *

E. For purposes of this Section, "customer" means an applicant or recipient of public assistance benefits and services that fall within the purview of Louisiana Works.

* * *

§231.4. Immunization compliance; exceptions

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

* * *

D. ~~The Department of Children and Family Services~~ Louisiana Works and the Louisiana Department of Health shall promulgate rules and regulations in

1 accordance with the Administrative Procedure Act to implement the provisions of
2 this Section for programs under the particular department's jurisdiction. The office
3 of public health shall develop and promulgate by rule the immunization schedule
4 required herein.

5 * * *

6 F.

7 * * *

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

11 (b) For purposes of this Section, "customer" means a recipient of public
12 assistance administered by Louisiana Works who is under eighteen years of age and
13 all of the customer's dependents who are under eighteen years of age.

14 * * *

15 §352. Definitions

16 As used in this Part, the following definitions apply:

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

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

21 * * *

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

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

24 * * *

25 §932. Powers and duties

26 The office shall have the following powers and duties:

27 * * *

28 (12) To administer all federal funds appropriated, allocated, or otherwise
29 made available to the state for services to the elderly, whether by block grant or in
30 any other form, with the exception of funds for programs administered by the

1 Department of Children and Family Services or the Louisiana Department of Health,
2 on August 15, 1995, the Louisiana Department of Health on October 1, 2025, or
3 Louisiana Works on July 1, 2027, and to distribute those funds in accordance with
4 and consistent with R.S. 46:936.

5 * * *

6 §936. Statement of intent

7 A. It is the intention of the legislature that, insofar as is practical and
8 consistent with the efficient administration of state government, programs and
9 services for the elderly population of Louisiana, with the exception of any program
10 administered by the Department of Children and Family Services or the Louisiana
11 Department of Health on August 15, 1995, the Louisiana Department of Health on
12 October 1, 2025, or Louisiana Works on July 1, 2027, shall eventually be
13 consolidated within the office of elderly affairs, to be administered at the local level
14 by the sixty-four parish voluntary councils on aging.

15 B. It is further the intention of the legislature that the ~~Office of Elderly~~
16 ~~Affairs~~ office of elderly affairs administer all federal funds appropriated, allocated,
17 or otherwise made available to the state for services to the elderly, whether by block
18 grant or in any other form, with the exception of funds for programs administered by
19 the Department of Children and Family Services or the Louisiana Department of
20 Health on August 15, 1995, the Louisiana Department of Health on October 1, 2025,
21 or Louisiana Works on July 1, 2027. The office of elderly affairs shall distribute
22 such funds in accordance with appropriate state and federal requirements and
23 consistent with this Section.

24 * * *

25 Section 12. R.S. 46:936 is hereby amended and reenacted to read as follows:

26 §936. Statement of intent

27 A. It is the intention of the legislature that, insofar as is practical and
28 consistent with the efficient administration of state government, programs and
29 services for the elderly population of Louisiana, with the exception of any program
30 administered by the Department of Children and Family Services or the Louisiana

1 Department of Health on August 15, 1995, the Louisiana Department of Health on
2 October 1, 2025, or Louisiana Works on July 1, 2027, shall eventually be
3 consolidated within the ~~office of elderly affairs~~ Department of Elderly Affairs, to be
4 administered at the local level by the sixty-four parish voluntary councils on aging.

5 B. It is further the intention of the legislature that the ~~Office of Elderly~~
6 ~~Affairs~~ office of elderly affairs administer all federal funds appropriated, allocated,
7 or otherwise made available to the state for services to the elderly, whether by block
8 grant or in any other form, with the exception of funds for programs administered by
9 the Department of Children and Family Services or the Louisiana Department of
10 Health on August 15, 1995, the Louisiana Department of Health on October 1, 2025,
11 or Louisiana Works on July 1, 2027. The ~~office of elderly affairs~~ Department of
12 Elderly Affairs shall distribute such funds in accordance with appropriate state and
13 federal requirements and consistent with this Section.

14 Section 13. R.S. 49:191(1)(f) and 1402(1)(d) are hereby amended and reenacted to
15 read as follows:

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

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

23 (1) July 1, 2026:

24 * * *

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

27 * * *

28 §1402. Definition of terms

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

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

2 * * *

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

4 * * *

5 Section 14. R.S. 23:18 and 34, R.S. 36:308(E), R.S. 46:18, 101, 102, 102.1, 103
6 through 106, 108, 111 through 113, 114.1, 114.3, 114.4, 115, 116, 230.1, 231, 231.1 through
7 231.3, 231.5, 231.6, 231.12 through 231.14, 232, 233, 233.3, 234, 234.2, 235, 236, 237, Part
8 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 through 460.10, and R.S.
11 49:1402(1)(a) are hereby repealed in their entirety.

12 Section 15. 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 16. 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 17. All monies held in the state treasury for the Fraud Detection Fund on
29 the effective date of this Section, shall upon that date, be transferred to Louisiana Works.

30 Section 18.(A) All Department of Children and Family Services, or a successor

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

6 (B)(1) In order to ensure continuity of services during the transition period, all
7 Department of Children and Family Services, or a successor department, contracts related
8 to the operation and administration of the programs transferred to Louisiana Works shall be
9 deemed to have been transferred and assigned to Louisiana Works upon the effective date
10 of this Section without the necessity of contractual amendment, and Louisiana Works shall
11 be solely responsible for all related obligations and liabilities arising on or after that effective
12 date.

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

17 (C)(1) All employees engaged in the performance of duties relating to the functions
18 of the programs and services transferred from the Department of Children and Family
19 Services, or a successor department, to Louisiana Works are hereby transferred to Louisiana
20 Works to carry out the functions of Louisiana Works and its programs and services and shall
21 continue to perform their duties, subject to applicable state civil service laws, rules, and
22 regulations. Subject to such laws, positions in the unclassified service shall remain in the
23 unclassified service. Upon the transfer of employees to a board, such employees shall
24 immediately have the ability to payroll deduct or direct deposit their payroll earnings in
25 favor of any credit union of which they were members prior to the transfer.

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

1 limited to those offered by the Office of Group Benefits.

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

14 Section 19.(A) The provisions of R.S. 23:73(E)(2) as amended and reenacted in
15 Section 7 of this Act shall supersede the provisions of R.S. 23:73(E)(2) as amended and
16 reenacted in Section 1 of Act No. 384 of the 2013 Regular Session of the Legislature when
17 Section 1 of Act No. 384 of the 2013 Regular Session of the Legislature becomes effective.

18 (B) The provisions of R.S. 46:936 as amended and reenacted in Section 10 of this Act
19 shall supersede the provisions of R.S. 46:936 as amended and reenacted in Section 5 of Act
20 No. 384 of the 2013 Regular Session of the Legislature when Section 5 of Act No. 384 of
21 the 2013 Regular Session of the Legislature becomes effective.

22 Section 20.(A) Beginning July 1, 2025, the workforce development programs
23 currently administered by the Department of Children and Family Services, or a successor
24 department, shall be transferred to and administered by the Louisiana Workforce
25 Commission, or its successors. The workforce program includes those consolidated under
26 Skills Employment and Training, or "SET for Success", or successor programs, the Child
27 Support Enforcement Employment and Training Program, or a successor program, the
28 Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program,
29 or a successor program, and the Strategies to Empower People (STEP) Program, or a
30 successor program.

1 (B) All employees of the Department of Children and Family Services, or a
2 successor department, whose duties involve the administration or implementation of the
3 programs provided for in Subsection A of this Section shall be transferred to the Louisiana
4 Workforce Commission, or its successors, in accordance with applicable civil service laws
5 and regulations.

6 (C) The Department of Children and Family Services, or a successor department,
7 and the Louisiana Workforce Commission, or its successors, shall execute an interagency
8 agreement to ensure the continued funding of these programs in a manner consistent with
9 each program's current funding sources and mechanisms. The agreement shall provide for
10 the allocation of resources, personnel, and administrative support necessary to maintain
11 uninterrupted program operations. The Louisiana Workforce Commission, or its successors,
12 shall provide a monthly report and invoice to the Department of Children and Family
13 Services, or a successor department, which shall be paid within thirty days of receipt, and
14 provided in a format prescribed by the Department of Children and Family Services, or a
15 successor department, for an interagency transfer of funding to the Louisiana Workforce
16 Commission, or its successors.

17 (D) The secretaries of the Department of Children and Family Services, or a
18 successor department, and the Louisiana Workforce Commission, or its successor, or their
19 respective designees, shall take all actions necessary to implement the provisions of this
20 Section and promulgate any rules and regulations in accordance with the Administrative
21 Procedure Act.

22 Section 21.(A) Beginning July 1, 2026, the Disability Determination Services (DDS)
23 program currently administered by the Department of Children and Family Services, or a
24 successor department, shall be transferred to and administered by the Louisiana Department
25 of Health, or its successors.

26 (B) All employees of the Department of Children and Family Services, or a
27 successor department, whose duties involve the administration or implementation of the
28 DDS program shall be transferred to the Louisiana Department of Health, or its successors,
29 in accordance with applicable civil service laws and regulations.

30 (C) Upon transfer, the Louisiana Department of Health, or its successors, shall be

1 the direct recipient of all federal funding for the DDS program from the Social Security
2 Administration.

3 Section 22. To further improve the financial situation of the state and to more
4 efficiently and effectively provide services to the citizens of this state, Louisiana Works shall
5 reduce at least forty employees from its July 1, 2024, employee count through natural
6 attrition no later than July 1, 2027.

7 Section 23.(A) The administrative rules contained in the Louisiana Administrative
8 Code promulgated by the Department of Children and Family Services which govern or are
9 applicable to the programs and operations transferred from the Department of Children and
10 Family Services to the Louisiana Department of Health by this Act shall continue to be
11 effective, and the office of state register shall change all applicable references to the
12 Department of Children and Family Services to the Louisiana Department of Health and
13 redesignate and renumber, as needed, all applicable provisions as are necessary to maintain
14 continuity in the Louisiana Administrative Code.

15 (B) All Department of Children and Family Services contracts for the programs and
16 activities transferred to the Louisiana Department of Health by this Act shall be deemed to
17 have been transferred and assigned to the Louisiana Department of Health upon the effective
18 date of this Section without the necessity of contractual amendment, and the Louisiana
19 Department of Health shall be solely responsible for all related obligations and liabilities
20 arising on or after that effective date.

21 (C)(1) In order to ensure continuity of services during the transition period, all
22 Department of Children and Family Services contracts related to the operation and
23 administration of the programs transferred to the Louisiana Department of Health shall be
24 deemed to have been transferred and assigned to the Louisiana Department of Health upon
25 the effective date of this Section without the necessity of contractual amendment, and the
26 Louisiana Department of Health shall be solely responsible for all related obligations and
27 liabilities arising on or after that effective date.

28 (2) In order to ensure continuity of services during the transition period, any pending
29 or unfinished business of the programs being transferred over shall be taken over and
30 completed by the Louisiana Department of Health with the same power and authorization

1 as that of the Department of Children and Family Services.

2 (D)(1) All employees engaged in the performance of duties relating to the functions
3 of the programs and services transferred from the Department of Children and Family
4 Services to the Louisiana Department of Health are hereby transferred to the Louisiana
5 Department of Health to carry out the functions of the Louisiana Department of Health and
6 its programs and services and shall continue to perform their duties, subject to applicable
7 state civil service laws, rules, and regulations. Subject to such laws, positions in the
8 unclassified service shall remain in the unclassified service. Upon the transfer of employees
9 to the Louisiana Department of Health, such employees shall immediately have the ability
10 to payroll deduct or direct deposit their payroll earnings in favor of any credit union of which
11 they were members prior to the transfer.

12 (2) The Department of State Civil Service shall assist the Department of Children and
13 Family Services and the Louisiana Department of Health in all human resource activities
14 deemed necessary to make such a transfer. All human resource activities shall include, but
15 are not limited to the transfer of personnel files and other related confidential documents,
16 position descriptions, retirement benefits, and related benefits, including but not limited to
17 those offered by the Office of Group Benefits.

18 (E) The commissioner of administration is hereby authorized and directed to make
19 necessary adjustments to appropriations for Fiscal Year 2025-2026 to conform with the
20 provisions of this Act. Adjustments shall be through the notification of appropriation
21 process or through approval of mid-year adjustments.

22 Section 24.(A) This Section, Sections 17 and 20, and the provisions of R.S.
23 23:1600(2) and (3)(a) as amended and reenacted in Section 6 of this Act shall become
24 effective on July 1, 2025.

25 (B) The provisions of Sections 7, 12, and 19 of this Act shall become effective when
26 Act No. 384 of the 2013 Regular Session of the Legislature becomes effective.

27 (C) Sections 2, 4, 8, 10, and 23 of this Act shall become effective October 1, 2025.

28 (D) Sections 1, 3, 5, 6, 9, 11, 13 through 16, 18, 21, and 22 of this Act shall become
29 effective July 1, 2026, or when no more than one million dollars in additional recurring state
30 general funds is necessary to implement the provisions of this Act, whichever occurs later.

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)]

HB 624 Reengrossed

2025 Regular Session

Berault

Abstract: Transfers certain family and support programs, such as TANF, from the Dept. of Children and Family Services (DCFS) to the La. Workforce Commission (LWC); transfers SNAP and related programs from DCFS to the La. Dept. of Health (LDH); and renames the La. Workforce Commission (LWC) to Louisiana Works.

Title 23 Provisions

Present law provides that LWC is 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 operated by LWC to include social service eligibility determinations and benefit payments, 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, 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 each agency with workforce development data to assign each individual receiving its services a unique identifier to link disparate data bases.

Proposed law provides that the individual's Social Security number may serve as the unique identifier and limits to use of and access to the individual's Social Security number.

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.

La. Works - Social Services Programs

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

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 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 10th 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 1st.

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 benefits and related programs

Present law provides for the Supplemental Nutrition Assistance Program (SNAP), the SNAP workforce training and education program, and provides work requirements for participation in the SNAP program.

Proposed law retains present law.

Present law provides for workforce training and an education pilot initiative for the purpose of improving employment opportunities for nonworking SNAP recipients and enhancing workforce readiness.

Proposed law retains present law except to change the program from a pilot initiative to a permanent program.

Present law provides for SNAP and related programs to be administered by DCFS. Proposed law instead provides for SNAP and related programs to be administered by LDH.

Present law refers to persons that participate in SNAP and related programs as "participants". Proposed law instead refers to such persons as "customers".

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, related to TANF, including employment and training programs, are transferred to La. Works

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 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, which govern or are applicable to the programs and operations transferred from DCFS to La. Works or LDH, shall continue to be effective and the office of state register shall change all applicable references to DCFS to La. Works or LDH, as appropriate.

Proposed law provides that all DCFS contracts for the programs and activities transferred to La. Works or LDH shall be deemed to have been transferred and assigned to the La. Works or LDH, as appropriate, upon the effective date of proposed law without the necessity of contractual amendment, and La. Works or LDH 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 or LDH shall be deemed to have been transferred and assigned to La. Works or LDH, as appropriate, upon the effective date of proposed law without the necessity of contractual amendment, and La. Works or LDH shall be 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 to La. Works or LDH are transferred to La. Works or LDH, as appropriate, to carry out the functions of La. Works or LDH 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.

Disability determination services

Proposed law provides for the disability determination services program administered by DCFS to be transferred to LDH.

Effectiveness

Proposed law provides for the transfer of workforce development programs within DCFS to La. Works beginning July 1, 2025.

Proposed law provides for the transfer of SNAP programs and the disability determination services program within DCFS to LDH beginning Oct. 1, 2025.

Proposed law transfer of services from DCFS to La. Works and the redesignation of La. Workforce Development to La. Works becomes effective July 1, 2026, or when no more than \$1,000,000 in additional recurring state general funds is necessary to implement proposed law, whichever occurs later.

(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), 301(A)(1)-(5), (C)(2), and (D)(2), (3), and (5), 321(2)-(5), 322, 323 (intro. para.), (3), and (4), 324(A), (B), (C), (D), and (E)(intro. para.), (1), and (2)(intro. para.), 325 (intro. para.), 326-328, 331(A)(1)-(3), 332, 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), and 1821-1905 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, 431-435, 441, 444, 447, 450.1, and 460.1-460.10 and R.S. 49:1402(1)(a))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Change the effective date.

2. Remove provisions regarding the recommended appropriations for La. Works and DCFS in the executive budget for FY 2027-2028.
3. Provide for the digitizing and disposal of La. Works records in accordance with procedures established by the Dept. of State.

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Transfer SNAP and related programs and the disability determination services program from DCFS to LDH, rather than to La. Works, effective Oct. 1, 2025.
2. Change the conditional effective date of the transfer of TANF and other programs to La. Works and the redesignation of LWD to La. Works from July 1, 2027, to July 1, 2026.
3. Remove a provision related to copies of healthcare records.
4. Provide for the use of an individual's Social Security number as a unique identifier.