

Regular Session, 2013

HOUSE BILL NO. 525

BY REPRESENTATIVE HARRIS

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

1 AN ACT

2 To amend and reenact R.S. 46:230.1(C), 231(4)(introductory paragraph) and (b) and (14),
3 231.2(A)(2), and 231.6(C), to enact R.S. 46:231.12 and 460.6(F), and to repeal R.S.
4 46:231(13), 231.3, 231.6(D) and (E), 231.7 through 231.11, and 460.8(C), relative
5 to aid to needy families; to provide for definitions; to provide eligibility conditions
6 for the cash assistance program; to provide for employment services for cash
7 assistance recipients; to provide for contingency of certain services upon
8 appropriation; to provide for promulgation of rules; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 46:230.1(C), 231(4)(introductory paragraph) and (b) and (14),
12 231.2(A)(2), and 231.6(C) are hereby amended and reenacted and R.S. 46:231.12 and
13 460.6(F) are hereby enacted to read as follows:

14 §230.1. Legislative intent

15 * * *

16 C. The Louisiana Workforce ~~Investment Council~~ Commission shall work
17 with the department to enhance program effectiveness of ongoing services on a
18 continual basis.

19 §231. Aid to needy families; definitions

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

21 * * *

1 (4) "Dependent child", in accordance with federal law and regulations
2 relative to the TANF program, shall mean a needy child who meets all of the
3 following criteria:

4 * * *

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

11 * * *

12 (14) ~~"Work eligible"~~ "Work-eligible" ~~means~~ refers to families containing an
13 adult under sixty years of age, or teen head of household, that is not disabled,
14 incapacitated, or caring for a family member who is disabled or incapacitated as
15 documented by a medical expert to which the status of disability is clearly
16 established and explained. "Work-eligible" also excludes cases in which only the
17 child portion of need that is unrelated to a sanction or penalty, known as a child-only
18 case, is considered in determining eligibility.

19 * * *

20 §231.2. Family Independence Temporary Assistance Program; benefits; eligibility

21 A.

22 * * *

23 (2) FITAP assistance shall include:

24 ~~(a) Money payments, to meet the needs of the relative who resides with a~~
25 ~~dependent child and the relative's spouse if the spouse resides with such child and~~
26 ~~is the child's parent.~~

27 ~~(b) Money payments with respect to any~~ money payments to meet the needs
28 of a dependent child, including payments to meet the needs of the father, mother,
29 stepfather, stepmother, or other relative, the relative's spouse with whom such child

1 is living, and the needs of any other individual living in the same home if such needs
2 are taken into account in making the determination of eligibility.

3 * * *

4 §231.6. Termination of eligibility; twenty-four-month limit; refusal of employment

5 * * *

6 ~~C. All work-eligible families receiving FITAP benefits will receive on-going~~
7 ~~intensive case management including monthly contact with those engaged in a work~~
8 ~~activity. The on-going intensive case management services will be provided to~~
9 ~~work-eligible families by the Department of Children and Family Services and other~~
10 ~~TANF partner agencies, in accordance with R.S. 46:231.7, to develop and comply~~
11 ~~with Family Success Agreements. The Family Success Agreement is the mutually~~
12 ~~developed contract between a FITAP recipient, on behalf of their family, and the~~
13 ~~department that sets forth mutual and time-bound responsibilities, expectations,~~
14 ~~activities, and goals designed to transition a participant from welfare to~~
15 ~~self-sufficiency. The Family Success Agreement shall be reviewed every six~~
16 ~~months. Failure to comply with the Family Success Agreement shall result in~~
17 ~~sanctions imposed upon the family in accordance with R.S. 46:231.7. The secretary~~
18 ~~of the department may promulgate rules and regulations which establish exceptions~~
19 ~~to the time limitations provided in this Section to the extent that funds are available~~
20 ~~for this purpose; however, any such exception shall be contingent upon the recipient~~
21 ~~maintaining compliance with the STEP Family Success Agreement pursuant to R.S.~~
22 ~~46:231.12.~~

23 §231.12. Employment, education, and related services for FITAP participants;
24 responsibilities of the secretary, agencies, and participants

25 A.(1) The department shall develop and implement STEP as the employment
26 program for work-eligible recipients of cash assistance in accordance with the
27 provisions of the Federal Welfare Reform Act. The Louisiana Workforce
28 Commission shall collaborate with the department to identify and coordinate
29 employment services for the program. The Louisiana Workforce Commission and

1 the department shall report to the House and Senate committees on health and
2 welfare on the progress of the plan within one year of the implementation of the plan.

3 (2) The employment services provided for in this Subsection shall be
4 delivered pursuant to performance-based contracts between the department and the
5 Louisiana Workforce Commission, other government agencies, or any community
6 partner. The services may include but shall not be limited to the following:

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

8 (b) Workplace literacy and related assessments.

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

12 (d) Temporary and permanent job placements.

13 (e) Subsidized employment services.

14 (f) On-the-job training.

15 B. In order to receive cash assistance, an applicant who is work-eligible as
16 defined in R.S. 46:231 shall fulfill each requirement set forth in his Family Success
17 Agreement and shall participate in the employment program provided for in
18 Subsection A of this Section.

19 C. Prior to receipt of cash assistance, a work-eligible participant shall be
20 notified in writing of program expectations and participant responsibilities. When
21 possible, notification may be delivered via e-mail or other electronic means, and
22 notification delivered in this manner shall be deemed to satisfy the written
23 notification requirement established in this Subsection.

24 D. Within the limits of appropriation therefor, the secretary shall establish
25 and administer STEP, which shall include the allowable work activities as provided
26 in the Federal Welfare Reform Act, for work-eligible recipients of FITAP.

27 E. The secretary shall provide workers' compensation and liability insurance
28 coverage for participants engaged in work experience or community service
29 activities.

1 F. Subject to appropriation, the department may provide support services and
2 transitional services to facilitate progress by FITAP recipients toward self-
3 sufficiency and sustainable employment.

4 G. The secretary shall promulgate in accordance with the Administrative
5 Procedure Act any rules necessary to implement the provisions of this Section.

6 * * *

7 §460.6. Individual development account

8 * * *

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 Section 2. R.S. 46:231(13), 231.3, 231.6(D) and (E), 231.7 through 231.11, and
13 460.8(C) are hereby repealed in their entirety.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____