

2024 Regular Session

SENATE BILL NO. 196

BY SENATOR MIGUEZ

WELFARE. Provides relative to program integrity in the Supplemental Nutrition Assistance Program. (gov sig)

1 AN ACT

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

6 Be it enacted by the Legislature of Louisiana:

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

9 **SUBPART E-5. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM**

10 **INTEGRITY MEASURES**

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 protect public benefits for those who are**
14 **truly needy and eligible for such benefits and to prevent waste and fraud from**
15 **limiting available resources and increasing dependency unnecessarily.**

16 **(2) The Supplemental Nutrition Assistance Program, formerly known as**
17 **"food stamps" and referred to hereafter in this Subpart as "SNAP", provides**

1 support to needy households and to persons making the transition from welfare
2 to work.

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

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

8 B. It is the intent of this Subpart to institute a system of modern and
9 comprehensive interagency data cross-checks and implement other program
10 integrity measures available to ensure ongoing eligibility for SNAP.

11 §332. Supplemental Nutrition Assistance Program; integrity measures

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

14 (1) All households receiving SNAP benefits shall be subject to change
15 reporting and report changes in circumstances, as established by 7 CFR
16 273.12(a)(1), within ten days of the date the change becomes known to the
17 household.

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

27 (3) The secretary of the Department of Children and Family Services
28 shall enter into the following data matching agreements with state agencies to
29 cross-check households enrolled in SNAP benefits with other state data sets:

1 (a) On at least a monthly basis, the Department of Children and Family
2 Services shall receive and review information from the Louisiana Department
3 of Health and the state registrar of vital records concerning individuals in
4 households enrolled in SNAP benefits that indicates a change in circumstances
5 that may affect eligibility for SNAP benefits, including but not limited to death
6 records.

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

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

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

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

28 (f) On at least a semimonthly basis, the Department of Children and
29 Family Services shall receive and review information from the Louisiana

1 Workforce Commission concerning individuals in households enrolled in SNAP
2 that indicates a change in circumstances that may affect eligibility for SNAP
3 benefits, including but not limited to potential changes in employment, income,
4 or assets.

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

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

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

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

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

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

28 (5) On at least a quarterly basis, the Department of Children and Family
29 Services shall make available to the public on its website data from findings of

1 **noncompliance and fraud investigations in SNAP benefits for the following**
2 **aggregate, nonconfidential, and nonpersonally identifying information:**

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

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

7 **(c) The amount of improper payments and expenditures.**

8 **(d) The amount of monies recovered.**

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

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

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

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

