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## DIGEST

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HB 624 Re-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 that may be conferred upon the secretary by law.

Proposed law adds to this enumerated list the following powers and duties that 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 monies 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 databases.

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 that 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.

### **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 who 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 Oct. 1, 2025.

Proposed law provides for the transfer of SNAP programs within DCFS to LDH beginning Oct. 1, 2025.

Proposed law provides for the transfer of the disability determination services program within DCFS to LDH beginning July 1, 2026.

Proposed law transfer of services from DCFS to La. Works and the predesignation of La. Workforce

Development to La. Works becomes effective July 1, 2027, 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(A)(intro. para.) and (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, 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 predesignation 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.

The House Floor Amendments to the reengrossed bill:

1. Move the Fraud Detection Fund from La. Works to LDH.
2. Restore provisions of present law relative to the Public Assistance Fraud Hot-Line and related provisions relative to fraud prevention.
3. Amend effective date provisions to clarify what programs and services are transferring to La. Works and LDH and the respective and intended dates for those transfers.
4. Make necessary title and technical changes.