

SENATE BILL NO. 52

BY SENATOR CATHEY AND REPRESENTATIVES AMEDEE, MIKE JOHNSON,
TAYLOR AND YOUNG

1 AN ACT

2 To enact R.S. 24:525(C)(14) and R.S. 46:109, relative to public assistance benefits; to
3 provide for the duties of the Department of Children and Family Services and the
4 Louisiana Department of Health; to provide for reporting; to provide for the
5 adjustment of benefits under certain circumstances; to provide for the duties of the
6 state child ombudsman; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 24:525(C)(14) is hereby enacted to read as follows:

9 §525. State child ombudsman; duties

10 * * *

11 C. The state child ombudsman shall have all of the following duties and
12 responsibilities:

13 * * *

14 **(14) Conduct an annual review of the implementation of R.S. 46:109 by**
15 **the Department of Children and Family Services and the Louisiana Department**
16 **of Health, including the timely compliance with reporting requirements and a**
17 **review of department procedures.**

18 * * *

19 Section 2. R.S. 46:109 is hereby enacted to read as follows:

20 **§109. Public assistance benefits; change in household; reporting; fraud**

21 **A. For the purpose of assisting the Louisiana Department of Health in**
22 **identifying changes in household circumstances for benefit allotments, the**
23 **Department of Children and Family Services shall report identifying**
24 **information to the Louisiana Department of Health within three business days**
25 **following a hearing held pursuant to Children's Code Article 624. The**
26 **Louisiana Department of Health shall determine the required information**

1 necessary to identify the child and the child's household.

2 B. Upon receipt of a report from the Department of Children and Family
3 Services pursuant to this Section, the Louisiana Department of Health shall
4 immediately complete all of the following:

5 (1) Review whether either of the child's parents is receiving any public
6 assistance benefits as a result of the child being included in the parent's
7 household.

8 (2) Adjust any Supplemental Nutrition Assistance Program, Special
9 Supplemental Nutrition Program for Women, Infants, and Children, or Family
10 Independence Temporary Assistance Program benefits for the parent's
11 household to reflect the change in circumstance.

12 (3) If the child is enrolled in Medicaid, issue a new Medicaid managed
13 care insurance card for the child at the child's new residence.

14 C. If the child has not reached the age of eighteen at the time the child
15 is returned to the custody of the child's parent, the Department of Children and
16 Family Services shall report to the Louisiana Department of Health when the
17 child is returned to the custody of the child's parent.

18 D. If the Louisiana Department of Health receives an application for a
19 public assistance benefit for a child that is included in another household that
20 receives benefits, the department shall conduct an assessment to determine
21 where the child is currently residing and adjust the benefit allotment
22 accordingly.

23 E. If the Louisiana Department of Health determines that an individual
24 failed to report a required change in household circumstances and is receiving
25 public assistance benefits for a child that is no longer living in the household,
26 the Louisiana Department of Health shall report the individual to the fraud
27 detection unit of the Louisiana Department of Health for investigation and
28 recovery of ineligible benefits.

29 F. Upon written request of the state child ombudsman, the Department
30 of Children and Family Services and the Louisiana Department of Health shall

1 provide access to any records identifying changes in household circumstances
2 or related to the adjustment of public assistance benefits as required by this
3 Section.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____