

NOTICE OF INTENT

Department of Children and Family Services

Economic Stability

Supplemental Nutritional Assistance Program (SNAP)

(LAC 67:III.1942)

In accordance with the provisions of the Administrative Procedure Act R.S. 49:953(A), the Department of Children and Family Services (DCFS) proposes to repeal LAC 67:III, Subpart 3 Supplemental Nutritional Assistance Program (SNAP), Chapter 19 Certification of Eligible Households, Subchapter G Work Requirements, Section 1942 Workforce Training and Education Pilot Initiative.

Pursuant to the authority granted to the department by the Food and Nutrition Services (FNS) and Act 622 of the 2014 Regular Session of the Louisiana Legislature, the department is repealing Section 1942 to terminate the Workforce Training and Education Pilot Initiative. The pilot initiative was established in Tangipahoa parish for the purpose of enhancing workforce readiness and improving employment opportunities for SNAP recipients in that parish who are unemployed or underemployed able-bodied adults without dependents (ABAWDs). Unless exempt, these ABAWDs were required to either work an average of 20 hours per week or participate/comply with certain programs that enhance workforce readiness and improve employment for an average of 20 hours per week. Furthermore, the current ABAWD Time Limit waiver expires on September 30, 2015; therefore, ABAWDs statewide will be subject to the SNAP time limit.

This action was made effective by an Emergency Rule dated and effective October 1, 2015.

Title 67

SOCIAL SERVICES

Part III. Economic Stability

**Subpart 3. Supplemental Nutritional Assistance Program
(SNAP)**

Chapter 19. Certification of Eligible Households

Subchapter G. Work Requirements

~~§1942. Workforce Training and Education Pilot Initiative~~

A. ~~The department shall administer a workforce training and education pilot initiative within SNAP for the purpose of enhancing workforce readiness and improving employment opportunities for SNAP recipients who are unemployed or underemployed able bodied adults without dependents (ABAWDs). Individuals to be served by the pilot initiative shall include, exclusively, all ABAWDs residing in Tangipahoa parish who are not exempt by provisions of this Section.~~

B. ~~Individuals are ineligible to continue to receive SNAP benefits if, during any 36 month period after February 2015, they received SNAP benefits for at least three months (consecutive or otherwise) while that individual did not either:~~

~~1. work an average of 20 hours per week;~~

~~2. participate in and comply with a Job Training Partnership Act Program, Trade Adjustment Act Program, or Employment and Training Program (other than a job search or job search training program) for 20 hours or more per week; or~~

~~3. participate in and comply with a welfare program.~~

C. ~~An individual is exempt from this requirement if the individual is:~~

~~1. under age 18, or 50 years of age or older;~~

~~2. medically certified as physically or mentally unfit for employment;~~

~~3. a parent of a household member under age 18, even if the household member who is under age 18 does not receive SNAP benefits;~~

4. residing in a household where a household member is under age 18, even if the household member who is under age 18 does not receive SNAP benefits;

5. pregnant;

6. meeting one or more of the following criteria relative to educational advancement:

a. in the previous six months, the individual enrolled in an accredited postsecondary educational institution that grants associate or baccalaureate degrees;

b. in the previous six months, the individual enrolled in a program designed to lead to a high school diploma;

c. in the previous six months, the individual enrolled in a general education development test preparation course;

d. in the previous six months, the individual earned a high school diploma or a general education development certificate;

7. satisfactorily participating or satisfactorily participated in LAJET (a SNAP employment and training program) in the previous six months; or

8. otherwise exempt from work registration requirements.

D. Regaining Eligibility for Assistance

1. Individuals denied eligibility under the pilot initiative rule can regain eligibility if during a 30 day period the individual:

a. works 80 hours or more;

b. participates in and complies with a Job Training and Partnership Act Program, Trade Adjustment Assistance Act Program, or Employment and Training Program (other than a job search or job search training program) for 80 hours or more;

e. participates in and complies with a workfare program (under Section 20 of the Food and Nutrition Act of 2008 or a comparable state or local program) for 80 hours or more.

2. An individual who regained eligibility and who is no longer fulfilling the work requirement is eligible for three consecutive countable months one time in any 36 month period, starting on the date the individual first notifies the agency that he or she is no longer fulfilling the work requirement, unless the individual has:

a. met one or more of the following criteria relative to educational advancement:

 i. in the previous six months, the individual enrolled in an accredited postsecondary educational institution that grants associate or baccalaureate degrees;

 ii. in the previous six months, the individual enrolled in a program designed to lead to a high school diploma;

 iii. in the previous six months, the individual enrolled in a general education development test preparation course;

 iv. in the previous six months, the individual earned a high school diploma or a general education development certificate;

b. satisfactorily participated in LaJET (a SNAP employment and training program) in the previous six months; or

c. otherwise been exempted from work registration requirements.

AUTHORITY NOTE: Promulgated in accordance with P.L. 104-193, P.L. 110-246, and Act 622 of the 2014 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Economic Stability Section, LR 41:533 (March 2015), repealed LR 41:

Family Impact Statement

The proposed rule is not anticipated to have an impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed rule is not anticipated to have an impact on poverty as described in R.S. 49:973.

Small Business Impact Statement

The proposed rule is not anticipated to have an adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed rule is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

All interested persons may submit written comments through, December 29, 2015, to Sammy Guillory, Deputy Assistant Secretary of Programs, Department of Children and Family Services, P.O. Box 94065, Baton Rouge, LA 70804.

Public Hearing

A public hearing on the proposed Rule will be held on December 29, 2015 at the Department of Children and Family Services, Iberville Building, 627 North Fourth Street, Seminar Room 1-129, Baton Rouge, LA beginning at 10 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact the Bureau of Appeals at least seven working days in advance of

the hearing. For assistance, call Area Code 225-342-4120 (Voice and TDD).

Suzy Sonnier
Secretary

Person Preparing Statement:	<u>Allison Willeford</u>	Department:	<u>Children and Family Services</u>
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Return Address:	<u>627 N. 4th St., P.O. Box 94065 Baton Rouge, LA 70804</u>	Rule Title:	<u>Supplemental Nutritional Assistance Program (SNAP)</u>
		Date Rule Takes Effect:	<u>March 1, 2016</u>

SUMMARY

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (SUMMARY)

This rule proposes to repeal Louisiana Administrative Code (LAC), Title 67, Part III, Subpart 3 Supplemental Nutritional Assistance Program (SNAP), Chapter 19 Certification of Eligible Households, Subchapter G Work Requirements, Section 1942—Workforce Training and Education Pilot Initiative. The repeal of Section 1942 terminates the Workforce Training and Education Pilot Initiative in accordance with the provisions of Act 622 of the 2014 Regular Session of the Louisiana Legislature. The pilot initiative was established in Tangipahoa parish for the purpose of enhancing workforce readiness and improving employment opportunities for SNAP recipients in that parish who are unemployed or underemployed able-bodied adults without dependents (ABAWDs). Unless exempt, these ABAWDs were required to either work an average of 20 hours per week or participate/comply with certain programs that enhance workforce readiness and improve employment for an average of 20 hours per week.

The current ABAWD time limit waiver expired on September 30, 2015. Beginning October 1, 2015, all ABAWDs statewide are subject to the SNAP time limit of 3 months of benefits in a 36-month period unless they meet a minimum work requirement of either work an average of 20 hours per week or participate/comply with a workface training program. An Emergency Rule dated and effective October 1, 2015, made this action effective. Therefore, the pilot initiative is obsolete and being repealed.

There is no anticipated direct material effect on state expenditures in DCFS as a result of this proposed rule.

The only cost associated with this proposed rule is the cost of publishing rulemaking. It is anticipated that \$1,065 (\$532.50 State General Fund and \$532.50 Federal Funds) will be expended in FY 15-16 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (SUMMARY)

Implementation of this proposed rule will have no direct effect on revenue collections of State or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (SUMMARY)

Implementation of this proposed rule will have no cost or economic benefit to directly affected persons or non-governmental groups. SNAP recipients in Tangipahoa parish will have the same work and job training requirements as the SNAP recipients in other parishes.

IV. ESTIMATED IMPACT ON COMPETITION AND EMPLOYMENT (SUMMARY)

This proposed rule will not have an impact on competition and employment for low-income families.

Signature of Agency Head
or Designee

Date

**LEGISLATIVE FISCAL OFFICER
OR DESIGNEE**

Sammy Guillory, Deputy Assistant Secretary
Typed Name and Title of Agency Head

DATE OF SIGNATURE