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John Bel Edwards, Governor
Marketa Garner Walters, Secretary

May 10, 2022

The Honorable Fred H. Mills, Jr.
Chairman, Senate Committee on Health and Welfare
Via Email: apa.s-h&w@legis.la.gov

The Honorable Larry Bagley
Chairman, House Committee on Health and Welfare
Via Email: apa.h-hw@legis.la.gov

RE: Department of Children and Family Services (DCFS) Rulemaking

The Department of Children and Family Services (DCFS) hereby announces its plan to proceed with rulemaking by finalizing the Notice of Intent titled, "SNAP Gross Income Limits" that was promulgated and published on page 520 of the March 2022 *Louisiana Register*. Copies of the notice and fiscal statement were provided to you on, or about, March 10, 2022.

The proposed rule will amend LAC 67:III, Subpart 3 Supplemental Nutrition Assistance Program, Chapter 19, Section 1953 Income Eligibility Standards and Subchapter J Determining Household Eligibility and Benefit Levels, Section 1987 Categorical Eligibility for Certain Recipients. Section 1953 is being amended to increase the gross income limit for broad-based categorically eligible households. Section 1987 is being amended to increase the gross income limit from 130 percent to 200 percent of the federal poverty limit for broad-based categorically eligible households. Increasing the gross income limit will allow families with high expenses for child care, housing, or other necessities to avoid losing SNAP benefits when they experience a modest increase in income. For low-income families with relatively higher wages and high living expenses, a higher gross income threshold would still provide valuable help affording basic necessities.

DCFS held a public hearing on April 26, 2022. One written comment was received on the proposal. Copies of the summary of testimony from this hearing, written comment letter received, and the department's response are attached. The comment letter received was generally in support of the proposed rule change, therefore no changes were made to the proposal based on this letter. DCFS also made a comment during the hearing to add a note directed at Section 1987 E.6., "one- and two-person households will receive a minimum benefit as required by 7 CFR 273.10(e)(2)(ii)(C). Households of three or more shall be denied if net income exceeds the level at which benefits are issued." This clarification note is needed to comply with federal regulations and to ensure that one or two person broad-based categorically eligible households are treated the same as one or two person categorically eligible households. The added note does not change the intent nor substance of the rule nor does it affect the fiscal and economic impact statement since the exact text can be found in the same section, Section 1987 A.10. At this time, the department intends to submit the Final Rule to the Office of State Register for publication in the June 2022 issue of the *Louisiana Register*. This Rule is effective July 1, 2022.



Please contact me at (225) 400-3311 if the department may be of any assistance to you concerning this matter.

Sincerely,

Shavana Howard

Shavana Howard
Assistant Secretary of Family Support

sh/cd

cc: The Honorable Patrick P. Cortez, President, Louisiana Senate
Office of the State Register



Shavana Howard
Assistant Secretary of Family Support
Department of Children and Family Services
PO Box 94065, Baton Rouge, LA 70804

Dear Ms. Howard,

The American Heart Association supports the proposed changes to SNAP Gross Income Limits (LAC 67:III.1953 and 1987) outlined in the March 2022 Notice of Intent for the Louisiana Department Children and Family Services. SNAP benefits help put food on the table for millions of the most vulnerable people, including children. The increase to the gross income threshold will extend federal SNAP benefits to 12,692 Louisiana families while improving administrative efficiencies.

Current SNAP procedure encourages participants to work. By increasing the gross income limits from 130 percent to 200 percent, the SNAP and TANF programs will help mitigate the risk for families that comes with incremental growth in wages (through raises or increases in hours worked) by reducing the benefit cliffs that can eliminate all additional benefits of increased earnings, resulting in a net loss of purchase power for Louisiana families. An additional analysis by the Louisiana Budget Project further found that “a family with typical childcare costs earning just one dollar over SNAP’s gross income limit stands to lose \$383 every month in benefits that would otherwise keep food on their tables.”¹

The fiscal and economic impact statement for this policy change presents a strong financial justification for this policy change. This proposed shift in policy would bring \$26,627,308 in federally-funded SNAP purchasing power to Louisiana families and the community-based food retailers that serve them. Expanded access to food in Louisiana, where we are projected to have the third highest rate of food insecurity², will improve health for 12,692 Louisiana households making between \$25,550/year and \$33,975/year by expanding eligibility for federally-funded SNAP benefits at minimal expense (\$85,532) to the Department of Children and Family Services.

Respectfully submitted,

Ashley Hebert
Louisiana Government Relations Director, American Heart Association



1) <https://www.labudget.org/2022/03/raising-snaps-gross-income-limit-supports-work/>
2) https://www.feedingamerica.org/sites/default/files/2021-03/Local%20Projections%20Brief_3.31.2021.pdf

Claire Davenport

Subject: FW: Public Comment - Notice of Intent SNAP Gross Income Limits
Attachments: 20220426 NOI Public Comment.pdf
Importance: High

From: Shavana Howard
Sent: Wednesday, May 4, 2022 6:05 PM
To: 'Brent Ling' <brent@wholesomewave.org>
Cc: Ashley Hebert <Ashley.Hebert@heart.org>; Kim Glapion-Bertrand <Kim.Glapion-Bertrand.DCFS@LA.GOV>; Monica Brown <Monica.Brown.DCFS@LA.GOV>
Subject: RE: Public Comment - Notice of Intent SNAP Gross Income Limits

Hi Brent,

I appreciate the support. We have been working for the past couple of years to really help move the needle on the number of children and families who live in poverty and we truly believe that this along with several other initiatives will have a lasting impact.

Best,

Shavana Howard

Assistant Secretary, Division of Family Support
Ph: (225) 342-3877
Cell: (225) 400-3311

From: Brent Ling [<mailto:brent@wholesomewave.org>]
Sent: Tuesday, April 26, 2022 3:42 PM
To: Shavana Howard <Shavana.Howard.DCFS@LA.GOV>
Cc: Ashley Hebert <Ashley.Hebert@heart.org>
Subject: Public Comment - Notice of Intent SNAP Gross Income Limits

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Dear Ms Howard,

The American Heart Association supports the proposed changes to SNAP Gross Income Limits (LAC 67:III.1953 and 1987) outlined in the March 2022 Notice of Intent for the Louisiana Department Children and Family Services and have expressed their support in the attached letter for the public comment record.

Ashley is Cc'd and has asked me to submit on her behalf. She is available at the contact info below as needed for any follow up.

Thank you for your dedication and support for Louisiana families.

-Brent Ling
202.427.4994

Ashley Hebert, MPA

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