

## NOTICE OF INTENT

Department of Social Services  
Office of Family Support

Minor Parents (LAC 67:III.1137 and 1138)

The Department of Social Services, Office of Family Support, proposes to amend LAC 67:III.Subpart 2, the Aid to Families with Dependent Children (AFDC) Program.

Pursuant to 45 CFR 233.107 of the Public Welfare Code of Federal Regulations, the department will impose certain restrictions in payment to households headed by a minor unmarried parent in order to encourage these minor parents to remain under the supervision of responsible adults.

LAC 67:III.1137 (Minor Parents) is being updated to reflect existing changes in the age of a minor child to age 18 and to remove the phrase "or legal guardians".

Title 67

### SOCIAL SERVICES

Part III. Office of Family Support

Subpart 2. Aid to Families with Dependent Children (AFDC)

Chapter 11. Application, Eligibility and Furnishing Assistance

Subchapter B. Coverage and Conditions of Eligibility

§1137. Minor Parents

Effective January 1, 1987, AFDC will not be denied to an otherwise eligible child solely because he is legally married or emancipated so long as his parent is responsible for his care and control. If a minor parent up to age 18, even if legally married or emancipated, lives with his/her parent(s), income must be deemed from the minor parent's parents.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 233.20(a)(3)(xviii).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 12:678 (October 1986), amended by the Department of Social Services, Office of Family Support, LR 22:

§1138. Restriction in Payment to Households Headed by a Minor Unmarried Parent

Eligibility for assistance for minor unmarried parents shall require that the individual and dependent child reside in the residence of the individual's parent, legal guardian, other relative, or in a foster home, maternity home or other adult-supervised supportive living arrangement, and that where possible, aid shall be provided to the parent, legal guardian or other adult relative on behalf of the individual and dependent.

The following exceptions apply:

1. the minor parent has no parent or guardian (of his or her own) who is living and whose whereabouts are known;
2. no living parent or legal guardian allows the minor parent to live in his/her home;
3. the minor parent lived apart from his/her own parent or legal guardian for a period of at least one year before the birth of the dependent child or the parent's having made application for AFDC;
4. the physical or emotional health or safety of the minor parent or dependent child would be jeopardized if he/she resided in the same household with the parent or legal guardian;
5. there is otherwise good cause for the minor parent and dependent child to receive assistance while living apart from the minor parent's parent, legal guardian or other adult relative, or an adult-supervised supportive living arrangement.

AUTHORITY NOTE: Promulgated in accordance with 45CFR §233.107.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 22:

Interested persons may submit written comments within 30 days to: Vera W. Blakes, Assistant Secretary, Office of Family Support, Box 94065, Baton Rouge, LA, 70804-4065. She is responsible for responding to inquiries regarding this proposed rule.

A public hearing on the proposed rule will be held on October 29, 1996, in the Second Floor Auditorium of the Department of Social Services, 755 Third Street, Baton Rouge, LA beginning at 9 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 telephone 504-342-4120 (Voice and TDD).

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Madlyn B.

Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Minor Parents**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
While it is anticipated that some minor unmarried parents will meet the exceptions and some will return to a suitable living arrangement, it is impossible to determine how many. Therefore for the purpose of determining fiscal impact, the assumption is that all cases would be adversely affected (180 cases; one child per case; the urban flat grant of \$138 for two).  
Fiscal year 96/97 would have a projected savings of state funds of \$42,685; fiscal years 97/98 and 98/99 would have a state fund savings of \$85,370.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
Because the amount paid in grants will be reduced, there will be reductions in federal reimbursements received by the state. Loss of reimbursements are estimated to be \$106,355 for FY 96/97 and \$212,710 for FY's 97/98 and 98/99.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)  
This will encourage minor unmarried parents to remain in the home with a parent, guardian, other qualified relative, or in an adult-supervised living arrangement where they can receive support at a much needed time in their life. Minor unmarried parents need adult guidance and supportive familial environments to help them be responsible parents, stay in school and prepare for independent living. Studies show that minor unmarried parents that receive nurturing, support, structure, discipline and socialization in a positive family environment improve their chances for successful, productive lives.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
There is no impact anticipated on competition and employment.

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