

## NOTICE OF INTENT

Department of Social Services  
Office of Family Support

Family Independence Project (LAC 67:III.1301)

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 ACT 998 and 1219 of the 1995 Regular Session of the Louisiana Legislature, the department will implement the Family Independence Project (FIP) which provides new AFDC policies regarding medical immunization and school attendance requirements, time-limited benefits, and refusal to accept full-time employment. A federal waiver authorizes the department to enact these provisions which will operate as a statewide project for all applicants and recipients for six years beginning January 1997. The only exception as designated by the waiver will be a control group for the purpose of study and evaluation.

The federal waiver requires continuation of medical benefits for recipients who are otherwise eligible for AFDC. If the AFDC grant is reduced or terminated for failure to comply with Family Independence Project requirements, Medicaid eligibility shall not be affected.

Whereas this action provides measures to reform the AFDC Program and promote independence and responsibility in recipients and whereas other measures are anticipated, such rules shall be promulgated and amended as Chapter 13 of LAC 67:III.Subpart 2.

Title 67

### SOCIAL SERVICES

Part III. Office of Family Support

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

Chapter 13. Special Conditions of Eligibility

Subchapter A. Family Independence Project (FIP)

§1301. Terms and Conditions

A. Time Limitations. The Office of Family Support shall deny AFDC cash benefits to families if the parent has received AFDC for at least 24 months during the prior 60-month period. Only months of AFDC receipt after the January 1, 1997 date of implementation count toward the 24-month limit. This provision does not apply in the following situations (in two parent households both parents must meet at least one of these criteria):

1. the parent is incapacitated or disabled;
2. the parent has been actively seeking employment by engaging in job-seeking activities and is unable to find employment;
3. factors relating to job availability are unfavorable;
4. the parent loses his job as a result of factors not related to his job performance; or
5. an extension of benefits of up to one year will enable the adult to complete employment related education or training.

B. Sanctions for Refusal to Accept a Job. Eligibility for AFDC shall be terminated for three months if a parent in the assistance unit declines or refuses the opportunity for full-time employment without good cause. The three month sanction period counts as months of AFDC receipt when applying the 24-month time limit.

C. Immunization. Failure to follow the schedule of immunizations as promulgated by the Louisiana Office of Public Health for any child under 18 years of age, without good cause, shall result in the child's removal from the AFDC grant until the child has received the required immunizations, or in the case of an immunization that requires a series of injections, has begun to receive the injections. No person is required to comply with this provision if that person or their parent or guardian submits a written statement from a physician stating that the immunization procedure is contraindicated for medical reasons, or if the person or their parent or guardian objects to the procedure on religious grounds.

D. School Attendance. At redetermination a child who has missed 15 days of school without good cause during the previous six-month period shall be placed in a probationary status. The child remains in a probationary status for at least six months. If during the probationary period a child is absent from school for

more than three days in a given calendar month without good cause, the child's needs shall be removed from the AFDC grant until documentation that the child's attendance meets the requirements is provided.

E. Assistance is not denied to an incapacitated or disabled individual in an assistance unit/household which is subject to the time limitation provision or sanction for refusal to accept employment. Assistance for the incapacitated or disabled individual continues as long as the family continues to meet all other AFDC eligibility requirements.

F. All individuals determined ineligible under any of these provisions shall retain the same Medicaid eligibility that they would have had in the absence of the project.

G. All applicants and recipients are subject to the provisions of the project, unless otherwise stated, except for a control group for whom the provisions shall not apply. This group is required for the purpose of research and evaluation by the federal waiver which authorizes FIP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:447.3, 46:460, 46:474, 46:477, 46:239, 46:459.

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 70804-9065. 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 at 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, telephone 504-342-4120 (Voice and TDD).

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Madlyn B.

Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Family Independence Project**

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

The immediate cost of implementation is estimated to be under \$1000. Fiscal impact will be minimal for the immunization requirement. Time-Limited benefits would not have a fiscal impact until FY 98/99 at which time there is a projected grant savings of \$785,085 in state funds and \$1,956,135 in federal. Grant savings for the school attendance requirement is estimated to be \$383,981 in state funds for FY 97/98 and \$956,735 in federal funds, and approximately \$708,957 savings in state funds for FY 98/99 with \$1,766,451 in federal. Schools and local school boards may have an increase in administrative costs due to paperwork, but the amount cannot be determined. The grant savings for refusal to accept employment is as follows: FY 96/97 \$50,720 state, \$126,376 federal; FY 97/98 and FY 98/99 \$101,306 state, \$252,415 federal. An additional cost for evaluation, paid at 50 percent from state and federal funds, is estimated to be \$150,000 per year.

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

Since the amount paid in grants will be reduced, there will be reductions in federal reimbursements received by the state. Loss of federal reimbursements are estimated to be \$51,376 for FY 96/97, \$1,134,150 for FY 97/98 and \$3,900,001 for FY 98/99.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Recipients of AFDC may be affected by these proposed changes in policy.

Recipients will have the burden of providing proof of immunization and school attendance.

This, however, could result in improved school attendance and a healthier population as more children will be immunized on schedule.

With limited benefits, recipients could lose eligibility; however, they could become more self-sufficient. If a recipient refuses an offer of full time employment they could lose benefits for three months or they may be encouraged to accept employment.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

None anticipated.

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