

NOTICE OF INTENT

Department of Children and Family Services

Economic Stability

TANF Initiatives

(LAC 67:III.5541 and 5579)

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 amend LAC 67:III, Subpart 15 Temporary Assistance for Needy Families (TANF) Initiatives, Chapter 55 TANF Initiatives, Section 5541 Court-Appointed Special Advocates and adopt Section 5579 State Child Care Tax Credit.

Pursuant to Louisiana's Temporary Assistance for Needy Families (TANF) Block Grant, amendment of Section 5541 is necessary to indicate that the initiative is reasonably expected to accomplish TANF goal 3, to prevent and reduce out-of-wedlock pregnancies, and adoption of Section 5579 is necessary to govern the collection of eligible child care tax credit expenditures for low-income individuals and families who have a qualified dependent that may be counted as Maintenance of Effort (MOE) for the TANF grant.

Title 67

SOCIAL SERVICES

Part III. Economic Stability

Subpart 15. Temporary Assistance for Needy Families (TANF) Initiatives

Chapter 55. TANF Initiatives

§5541. Court-Appointed Special Advocates

A. ~~OFS~~ The Department shall enter into ~~Memoranda of Understanding~~ an agreement with the Supreme Court of Louisiana to provide services to needy children identified as abused or neglected who are at risk of being placed in foster care or, are already in foster care. Community advocates provide information

gathering and reporting, determination of and advocacy for the children's best interests, and case monitoring to provide for the safe and stable maintenance of the children in their own homes or the return of children to their own homes or the homes of a relative.

B. The services meet TANF goal 1, to provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives by ensuring that the time children spend in foster care is minimized, and TANF goal 3, to prevent and reduce the incidence of out-of-wedlock pregnancies by providing the child with support and guidance and with encouragement and empowerment to be successful in becoming a responsible decision maker.

C. Eligibility for services is limited to needy families, that is, one in which any member receives a Family Independence Temporary Assistance Program (FITAP) grant, Kinship Care Subsidy Program (KCSP) grant, ~~Food Stamp~~ Supplemental Nutritional Assistance Program (SNAP) benefits, Child Care Assistance Program (CCAP) services, Title IV-E, Medicaid, Louisiana Children's Health Insurance Program (LaCHIP) benefits, Supplemental Security Income (SSI), Free or Reduced School Lunch, or who has earned income at or below 200 percent of the federal poverty level. A family consists of minor children residing with custodial parents, or caretaker relatives of minor children.

D. Services are considered non-assistance by the ~~agency~~ department.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq.; R.S. 46:231 and R.S. 36:474; Act 12, 2001 Reg. Session; Act 1, 2004 Reg. Session, Act 18, 2007 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 28:871 (April 2002), amended LR 31:485 (February 2005), LR 34:694 (April 2008), amended by the Department of Children and Family Services, Economic Stability Section, LR 41:

§5579. State Child Care Tax Credit

A. The Department shall enter into a Memorandum of Understanding with the Louisiana Department of Revenue to collect information on State Child Care Tax Credit expenditures for the purpose of claiming eligible expenditures that may count as Maintenance of Effort (MOE) effective TANF State Plan FY 2014 for the Temporary Assistance for Needy Families (TANF) grant. The State Child Care Tax Credit is an annual refundable tax credit for low-income individuals and families who have a qualified dependent who is under the age of 13, and the parent or qualified relative has paid someone to provide care for the qualified dependent so that they can work or look for work. Also, this credit may be available if a Nonresident or Part-year resident individual income tax return for Louisiana is filed when the child care expenses have been incurred in Louisiana during the time as a resident.

B. These services meet TANF goal 2, to end dependence of needy parents on government benefits, by promoting job preparation, work, and marriage.

C. Eligibility for services attributable to TANF/MOE funds is limited to those families with minor children as noted above who meet the Louisiana Department of Revenue Child Care Tax Credit eligibility standards. The earned income must be \$25,000 or less, in order for this credit to be refunded. The individuals or families must meet the same tests for earned income, qualifying dependents, and qualifying expenses as required by the Internal Revenue Service. A family consists of

minor children residing with custodial parents or caretaker relatives of minor children.

D. Services are considered non-assistance by the department.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq.; P.L. 104-193, and R.S. 36:474.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Economic Stability Section, 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, March 31, 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 March 31, 2015 at the Department of Children and Family Services, Iberville Building, 627 North Fourth Street, Seminar Room 1-127,

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 225-342-4120 (Voice and TDD).

Suzy Sonnier
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

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Return Address:	<u>627 N. 4th St., P.O. Box 94065 Baton Rouge, LA 70804</u>	Rule Title:	<u>TANF Initiatives</u>
		Date Rule Takes Effect:	<u>June 1, 2015</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 amend Louisiana Administrative Code (LAC), Title 67, Part III, Subpart 15 Temporary Assistance for Needy Families (TANF) Initiatives, Chapter 55 TANF Initiatives to amend Section 5541 and to adopt Section 5579. The proposed rule amends Section 5541—Court-Appointed Special Advocates (CASA) to include an additional TANF purpose as articulated in the federal TANF statute. Services provided through the CASA Initiative are reasonably expected to accomplish TANF goal #3, which is to prevent and reduce out-of-wedlock pregnancies.

Also, the proposed rule adopts Section 5579—State Child Care Tax Credit to claim state expenditures that are anticipated to be counted as Maintenance of Effort (MOE) for Louisiana’s federal TANF grant.

The department shall collect information on the State Child Care Tax Credit expenditures from the Department of Revenue for the purpose of claiming eligible expenditures that may count as MOE towards the federal TANF grant retroactive to the TANF State Plan FY 2014.

The proposed rule will not impact the overall revenues or expenditures of the department. However, the rule allows the department to maintain their existing federal TANF grant funding of \$164 M. The only cost associated with this proposed rule is the cost of publishing rulemaking. It is anticipated that \$1,065 (Federal) will be expended in FY 14-15 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 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.

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

DCFS Undersecretary