

**NOTICE OF INTENT**

**Department of Children and Family Services  
Economic Stability**

**SNAP Gross Income Limits  
(LAC 67:III.1953 and 1987)**

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 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.

**Title 67**

**SOCIAL SERVICES**

**Part III. Economic Stability**

**Subpart 3. Supplemental Nutrition Assistance Program**

**Chapter 19 Certification of Eligible Households**

**§1953. Income Eligibility Standards**

A. The income eligibility standards for SNAP shall be as follows:

1. Gross Income. (All households except those specified in Paragraph 2 below.) The income eligibility standards for the contiguous 48 states and the District of Columbia, Guam, Puerto Rico and the Virgin Islands shall be 130 percent of the Office of Management and Budget's (OMB) nonfarm income poverty guidelines for the 48 states and the District of Columbia. Broad-based categorically eligible households shall meet 200 percent of the income poverty guidelines instead of 130 percent.

2. - 4. ...

AUTHORITY NOTE: Promulgated in accordance with F.R. 46:44712 et seq., F.R. 47:55463 et seq. and 47:55903 et seq., 7 CFR 273.9, P.L. 110-246.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 8:9 (January 1982), amended LR 9:131 (March 1983), amended by the Department of Social Services, Office of Family Support, LR 29:606 (April 2003), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2529 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 48:

**Subchapter J. Determining Household Eligibility and Benefit Levels**

**§1987: Categorical Eligibility for Certain Recipients**

A. - E.3. ...

4. Broad-based categorically eligible household shall meet 200 percent of the federal poverty guidelines.

4.5. Broad-based categorically eligible households must meet all Supplemental Nutritional Assistance Program eligibility factors except as outlined above.

5-6. Benefits for broad-based categorically eligible households shall be based on net income as for any other household.

AUTHORITY NOTE: Promulgated in accordance with F.R. 51:28196 et seq., 7 CFR 271, 272, 273.10, and 274, F.R. 56:63612- 63613, P.L. 104-193, 7 CFR 273.2(j)(2)(xi), Act 58, 2003 Reg. Session, 7 CFR 273.2, (j), and P.L. 110-246.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 13:90 (February 1987), amended by the Department of Social Services, Office of Family Support, LR 18:1267 (November 1992), LR 24:1783 (September 1998), LR 26:349 (February 2000), LR 27:867 (June 2001), LR 27:1934 (November 2001), LR 30:495 (March 2004), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2531 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 40:1312 (July 2014), LR 44:444 (March 2018), amended by the Department of Children and Family Services, Economic Stability Section, LR 45:1441 (October 2019), LR 46:1220 (September 2020), LR 48:

**Family Impact Statement**

The proposed rule is not anticipated to have an adverse impact on family formation, stability, and autonomy as described in R.S. 49:972. This rule is anticipated to help alleviate poverty for those participating in the program.

**Poverty Impact Statement**

The proposed rule is not anticipated to have a significant negative 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, April 26, 2022, to Shavana Howard, Assistant Secretary of Family Support, Department of Children and Family Services, P.O. Box 94065, Baton Rouge, LA 70804.

### **Public Hearing**

A virtual public hearing on the proposed Rule will be held at 9:00 a.m. on April 26, 2022, by the Department of Children and Family Services. All interested persons will be afforded an opportunity to submit data, views, or arguments via PC, Mac, Linux, iOS or Android at

<https://stateofladcfs.zoom.us/j/87917533392>; via telephone by dialing (713) 353-0212 and entering conference code 430033. To find local AT&T numbers visit

<https://www.teleconference.att.com/servlet/glbAccess?process=1&accessNumber=USA7133530212&accessCode=430033>. Individuals with disabilities who require special services should contact the DCFS Appeals Unit at least seven working days in advance of the hearing. For assistance, call (225) 342-4120 (Voice and TDD).

 2/17/22

Marketa Garner Walters  
Secretary

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

Person Preparing Statement:	<u>Allison Rigsby</u>	Department:	<u>Children and Family Services</u>
Phone:	<u>(225) 342-2530</u>	Office:	<u>Economic Stability</u>
Return Address:	<u>627 N. 4th Street Baton Rouge, LA 70802</u>	Rule Title:	<u>SNAP Gross Income Limits</u>
		Date Rule Takes Effect:	<u>July 1, 2022</u>

**SUMMARY**  
(Use complete sentences)

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)**

In FY 22, the Department of Children and Family Services (DCFS) will incur a one-time cost of \$171,065 (50% Federal and 50% State) associated with the publication costs (\$1,065) rule and programming fees associated with implementing system changes for the eligibility system (\$170,000).

The proposed rule changes the eligibility requirement for SNAP benefits. Specifically, the rule increases the gross income limit for SNAP eligibility from 130% of the federal poverty limit to 200% of the federal poverty limit.

As of November 2021, there were 423,077 households receiving SNAP with an average monthly benefit of \$349.71 per household, for total benefit payments of \$147,929,778 per month or \$ 1,775,157,336 per year. It is anticipated that this rule will result in an increase of 3% or 12,692 households will be eligible for SNAP benefits. However, because the new population has a higher household income, the average benefit for the new population is anticipated to be \$174.83. Therefore, the estimated total cost of annual benefit payments as a result of their rule change is \$26,627,308 (\$174.83 average monthly benefit x 12,692 additional household x 12 months).

Note: The \$26,627,308 in additional SNAP benefits will be received by recipients from the USDA Food and Nutrition Service and does not flow through DCFS' budget.

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

The proposed rule change will not affect revenue collections for state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)**

Implementation of this proposed rule is anticipated to have an economic benefit to SNAP recipients who otherwise would not have been eligible for SNAP. This rule is anticipated to help alleviate poverty for those participating in the program. Additionally, small businesses that accept SNAP as a form of payment may realize increased sales due to the increase in SNAP benefits.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

Implementation of this proposed rule change is not expected to have an effect on competition and employment.

Shavana Howard

Signature of Agency Head or Designee

3/8/2022 | 7:01 PM CST

Date

Evan Brassard, *Interim Deputy Fiscal Officer*  
LEGISLATIVE FISCAL OFFICER OR DESIGNEE  
3/9/22  
DATE OF SIGNATURE

Shavana Howard, Assistant Secretary of Family Support  
Typed Name and Title of Agency Head or Designee

Eric Horent

DCFS Undersecretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET**

**I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED**

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

<b>COSTS</b>	<b>FY 22</b>	<b>FY 23</b>	<b>FY 24</b>
Personal Services	\$0	\$0	\$0
Operating Expenses	\$1,065 (rulemaking)	\$0	\$0
Professional Services	\$170,000	\$0	\$0
Other Charges	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Major Repair & Constr.	\$0	\$0	\$0
<b>Total</b>	<b>\$171,065</b>	<b>See below</b>	<b>See below</b>
<b>Positions (#)</b>			

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

In FY 22, the Department of Children and Family Services (DCFS) will incur a one-time cost of \$171,065 (50% Federal and 50% State) associated with the publication costs (\$1,065) rule and programming fees associated with implementing system changes for the eligibility system (\$170,000).

As of November 2021, there were 423,077 households receiving SNAP with an average monthly benefit of \$349.71 per household, for total benefit payments of \$147,929,778 per month or \$1,775,157,336 per year. It is anticipated that this rule result in an increase of 3% or 12,692 households will be eligible for SNAP benefits. However, because the new population has a higher household income, the average benefit for the new population is anticipated to be \$174.83. Therefore, the estimated total cost of annual benefit payments as a result of their rule change is \$26,627,308 (\$174.83 average monthly benefit x 12,692 additional household x 12 months).

Note: The \$26,627,308 in additional SNAP benefits will be received by recipients from the USDA Food and Nutrition Service and does not flow through DCFS' budget.

3. Sources of funding for implementing the proposed rule or rule change.

<b>SOURCE</b>	<b>FY 22</b>	<b>FY 23</b>	<b>FY 24</b>
State General Fund	\$85,532	\$0	\$0
Agency Self-Generated	\$0	\$0	\$0
Dedicated	\$0	\$0	\$0
Federal Funds	\$85,533	See below	See below
Other (Specify)	\$0	\$0	\$0
<b>Total</b>	<b>\$171,065</b>	<b>See below</b>	<b>See below</b>

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes.

Note: The \$26,627,308 in additional SNAP benefits will be received by recipients from the USDA Food and Nutrition Service and does not flow through DCFS' budget.

**B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.**

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There are no estimated costs or savings to local governmental units resulting from this rule.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

There will be no impact on local governmental units.

**FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET**

**II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS**

A. What increase (decrease) in revenues can be anticipated from the proposed action?

<b>Revenue Increase/Decrease</b>	<b>FY 22</b>	<b>FY 23</b>	<b>FY 24</b>
State General Fund	\$0	\$0	\$0
Agency Self-Generated	\$0	\$0	\$0
Dedicated Funds *	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

Implementation of this rule will have no effect on state or local revenue collections.

**III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS**

A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

Implementation of this proposed rule is anticipated to have a direct economic benefit to small businesses since additional SNAP benefits will be issued and spent. Each dollar in federally funded SNAP benefits generates \$1.79 in economic activity. There is not an anticipated impact for non-governmental groups. This rule is anticipated to increase the health and well-being of those households who will be eligible for SNAP benefits.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

Implementation of this proposed rule will have an economic benefit to the households who will be eligible for SNAP benefits.

**IV. EFFECTS ON COMPETITION AND EMPLOYMENT**

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

Implementation of this proposed rule change is not expected to have an effect on competition for employment in the public and private sectors.