

NOTICE OF INTENT

**Department of Children and Family Services
Family Support**

**Thrive: The Baby and Parent Network
(LAC 67:III.5507, 7101, 7103, 7105, 7117, and 7131)**

The Department of Children and Family Services (DCFS), Division of Family Support, has exercised the provision of the Administrative Procedure Act, R.S. 49:961 to adopt LAC 67:III, Subpart 15 Temporary Assistance for Needy Families (TANF) Initiatives, Chapter 55 TANF Initiatives, Section 5507 Thrive: The Baby and Parent Network; and Subpart 21 Thrive: The Baby and Parent Network, Chapter 71 Thrive: The Baby and Parent Network.

Pursuant to Louisiana's Temporary Assistance for Needy Families (TANF) Block Grant, adoption of Section 5507 and Subpart 21, Chapter 71 is required to adopt and administer a continuum of care program for certain pregnant women and parents, hereafter called the Thrive: The Baby and Parent Network. The purpose of the program is to facilitate the operation of a statewide telecare support network that provides community outreach, consultations, and care coordination for pregnant women and parents that encourage healthy childbirth, support childbirth as an alternative to termination of pregnancy, promote family formation, assist parents in establishing successful parenting techniques, and increase the economic and self-sufficiency of families.

This action was made effective by an Emergency Rule dated and effective July 1, 2023.

Title 67

SOCIAL SERVICES

Part III. Family Support

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

Chapter 55. TANF Initiatives

§5507. Thrive: The Baby and Parent Network

A. The department shall enter into contract(s) to facilitate the operation of a statewide telecare support network that provides community outreach and direct services including, but not limited to, consultations, supports, social services case management, referrals, and care coordination for pregnant women and parents.

B. These services meet TANF Goal 4, encourage the formation and maintenance of two-parent families, by providing care plans and case management to assists families in addressing the challenges of pregnancies and parenting.

C. Eligibility for services is limited to Louisiana resident(s) who are the parent of an unborn child or a child under two years of age.

D. Medical services are prohibited, including but not limited to the provision of medically accurate, pregnancy-related medical information to program participants.

E. Services are considered non-assistance by the agency.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq., R.S. 36:474, and Act 561 of the 2022 Louisiana Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Family Support, LR 49:

Subpart 21. Thrive: The Baby and Parent Network

Chapter 71. Thrive: The Baby and Parent Network

Subchapter A. Program Administration

§7101. General Authority

A. From federal funds, state funds, and/or other funds made available for this purpose, the department is hereby authorized to establish a continuum of care program for certain

pregnant women and parents, hereafter called the "Thrive: The Baby and Parent Network."

AUTHORITY NOTE: Promulgated in accordance with Act 561 of the 2022 Louisiana Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Family Support, LR 49:

§7103. Program Administration

A. The administration of the Thrive: The Baby and Parent Network will be administered by the department through contracts with outside entities in accordance with the Louisiana procurement code, R.S. 39:1605-1736.

B. To the extent that appropriations are available, the secretary may establish and make available to eligible families the Thrive: The Baby and Parent Network.

AUTHORITY NOTE: Promulgated in accordance with Act 561 of the 2022 Louisiana Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Family Support, LR 49:

§7105. Eligible Organizations

- A. In order to receive funding, an entity must:
1. be a public or private nonprofit organization;
 2. have the capacity and provide assurances to deliver services exclusively through electronic means;
 3. acknowledge and certify that they are not an entity that:
 - a. performs, refers for, or assists with termination of a pregnancy; or
 - b. sets appointments with or refers women or parents to any entity that performs or recommends for termination of a pregnancy.
 4. allow and agree that:

a. department personnel will make annual on-site programmatic contract reviews. The department, at its discretion, may make more than one programmatic visit per year. These site visits will be conducted for compliance with contractual requirements; and

b. the entity grants to the Office of the Legislative Auditor, the Office of the Inspector General, the department's Bureau of Audit and Compliance Services, the federal government, and any other officially designated authorized representatives of the department the right to audit, inspect, and review all books and records pertaining to services rendered under their contract with the department and the right to conduct on-site monitoring.

AUTHORITY NOTE: Promulgated in accordance with Act 561 of the 2022 Louisiana Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Family Support, LR 49:

Subchapter B. Eligibility

§7117. Conditions of Eligibility

A. Eligibility for services is limited to Louisiana residents who at the time of initial contact are the parent of either an unborn child or a child that is under two years of age, including a program participant whose pregnancy is involuntarily ended due to medical reasons.

B. Any program participant who voluntarily terminates a pregnancy is eligible to continue receiving services through the program for a period of six months from the date of the pregnancy termination.

AUTHORITY NOTE: Promulgated in accordance with Act 561 of the 2022 Louisiana Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Family Support, LR 49:

Subchapter C. Services

§7131. Services

A. Services include, but are not limited to:

1. outreach to at-risk populations eligible for the program;

2. utilization of registered nurses, who are licensed in accordance with R.S. 37:911 et seq., to perform the following functions:

a. assessment and evaluation of needs related to pregnancy or parenting; and

b. provision of medically accurate, pregnancy-related medical information to program participants.

3. utilization of social workers, who are licensed in accordance with R.S. 37:2701 et seq., or other licensed individuals with equivalent experience to perform the following functions:

a. development of a care plan, resources, and support for program participants to address identified needs;

b. referrals to appropriate local resources including, without limitation, state and federal benefits programs and local charitable organizations;

c. assistance in applying for state and federal benefits programs; and

d. assistance in accomplishing elements of the care plan.

4. coordination for pregnant women served by the telecare support network of appointments with in-person pregnancy resources centers or similar agencies in this state which provide information and services including, without limitation, counseling, ultrasound services, pregnancy tests, prenatal assistance, parenting classes, material support, and adoption information.

AUTHORITY NOTE: Promulgated in accordance with Act 561 of the 2022 Louisiana Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Family Support, LR 49:

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 encourage the formation and maintenance of resilient families by providing care plans and case management to assist families in addressing the challenges of pregnancies and parenting.

Poverty Impact Statement

The proposed rule is not anticipated to have a significant negative impact on poverty as described in R.S. 49:973. This rule is anticipated to increase the economic and self-sufficiency of families by addressing the challenges of pregnancies and parenting applicants face and providing them with resources and parenting skills to improve their future outcomes.

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. 5 U.S.C. 601-612.

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, October 26, 2023, to Ashley Sias, 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 10:00 a.m. on Thursday, October 26, 2023, 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/81385139157?>; via telephone by dialing (713) 353-0212 and entering conference code 1430033. 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).

 08/12/2023 | 6:24 AM CDT

Terri Porche Ricks
Secretary



FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person Preparing Statement: Julie Starns Department: Children and Family Services
 Phone: (225) 342-0495 Office: Family Support
 Return Address: 627 N. 4th Street, P.O. Box 94065 Rule Title: Thrive: The Baby and Parent Network
Baton Rouge, LA 70804 Date Rule Takes Effect: January 1, 2024

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)

The proposed rule change is anticipated to increase Department of Children and Family Services (DCFS) expenditures by approximately by \$1 M per year associated with contracting with a nonprofit organization to provide community outreach, consultations, and care coordination for pregnant women and parents.

In compliance with Act 561 of the 2022 RLS, the DCFS proposes to adopt LAC 67:III, Subpart 15 Temporary Assistance for Needy Families (TANF) Initiatives, Chapter 55 TANF Initiatives, Section 5507 Thrive: The Baby and Parent Network and Subpart 21 Thrive: The Baby and Parent Network. Specifically, the rule establishes the framework for the network, eligibility criteria for providers and recipients, and provides a list of permissible services.

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


There will be no effect on revenue collections of state or local governmental units as a result of this proposed rule.

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

Implementation of this proposed rule is not anticipated to have an economic cost or benefit to individuals, small businesses or non-governmental groups. This rule adopts the Thrive: The Baby and Parent Network, which is anticipated to provide parenting resources for those participating in the program who face the challenges of pregnancy and parenting.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

Ashley Sias 09/07/2023 | 12:29 PM CDT Julie Starns, Deputy Fiscal Officer
 Signature of Agency Head or Designee Date LEGISLATIVE FISCAL OFFICER OR DESIGNEE
Ashley Sias, Assistant Secretary of Family Support
 Typed Name and Title of Agency Head or Designee 9/07/2023
 DATE OF SIGNATURE
Eric Horant
 DCFS Undersecretary 

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

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The Department of Children and Family Services (DCFS) proposes to adopt LAC 67:III, Subpart 15 Temporary Assistance for Needy Families (TANF) Initiatives, Chapter 55 TANF Initiatives, Section 5507 Thrive: The Baby and Parent Network and Subpart 21 Thrive: The Baby and Parent Network. The purpose of the program is to facilitate the operation of a statewide telecare support network that provides community outreach, consultations, and care coordination for pregnant women and parents through pregnancy and parenting services provided.

- B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

Action is required in this matter to facilitate the expenditure appropriated from the Statutorily Dedicated Continuum of Care Fund in Act 561 of the 2022 Regular Session of the Louisiana Legislature.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule result in any increase in the expenditure of funds? If so, specify amount and source of funding.

Yes. This measure is anticipated to increase the operating expenses of the Department of Children and Family Services (DCFS). Funding to help facilitate this program has been appropriated from the Statutorily Dedicated Continuum of Care Fund.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) X Yes. If yes, attach documentation.

(b) No. If no, provide justification as to why this rule change should be published at this time

Funding has been appropriated from the Statutorily Dedicated Continuum of Care Fund.

**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?

COSTS	FY 24	FY 25	FY 26
Personal Services	\$0	\$0	\$0
Operating Expenses	\$1,704 (rulemaking)	\$0	\$0
Professional Services	\$1,000,000	\$1,000,000	\$1,000,000
Other Charges	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Major Repair & Constr.	\$0	\$0	\$0
Total	\$1,001,704	\$1,000,000	\$1,000,000
Positions (#)			

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.

This rule is anticipated to increase expenditures of DCFS by approximately \$1 M in FY 24 and future fiscal years associated with providing continuum of care services. The department has indicated that they will contract with a nonprofit organization to provide the services.

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

SOURCE	FY 24	FY 25	FY 26
State General Fund	\$1,704	\$0	\$0
Agency Self-Generated	\$0	\$0	\$0
Dedicated	\$1,000,000	\$1,000,000	\$0
Federal Funds	\$0	\$0	\$1,000,000
Other (Specify)	\$0	\$0	
Total	\$1,001,704	\$1,000,000	\$1,000,000

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.

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?

Revenue Increase/Decrease	FY 24	FY 25	FY 26
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
Total	\$0	\$0	\$0

*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 not anticipated to have a cost or direct economic benefit to small businesses or non-governmental groups.

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.

This rule will not have a significant impact on receipts and/or income.

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.

This rule will not have a significant impact on competition for employment in the public and private sectors.