

I. EXECUTIVE ORDERS

KBB 04-01 Bond Allocation? Industrial Development Board of the Parish of Ouachita, Inc.....711

KBB 04-02 Louisiana Interagency Action Council for the Homeless ..... 711

KBB 04-03 Governor's Advisory Council on Disability Affairs .....713

KBB 04-04 Office of the First Gentleman .....714

KBB 04-05 Louisiana Wild Caught Shrimp Industry Trade Action Advisory Council.....714

II. EMERGENCY RULES

**Agriculture and Forestry**

Office of Agriculture and Environmental Sciences? Pesticide Restrictions (LAC 7:XXIII.143).....716

Office of Agriculture and Environmental Sciences, Division of Pesticides and Environmental Programs? Pesticide Restrictions? Use of the Pesticide Icon (LAC 7:XXIII.143).....716

**Education**

Tuition Trust Authority, Office of Student Financial Assistance? Student Tuition and Revenue Trust (START Saving) Program? Definitions and Deposits (LAC 26:VI.107 and 305).....717

Student Tuition and Revenue Trust (START Saving) Program? Interest Rates 2004 (LAC 26:VI.315) .....720

**Environmental Quality**

Office of Environmental Assessment, Environmental Planning Division? Notification Requirements for Unauthorized Emissions (LAC 33:I.3925 and 3931)(OS052E2) .....721

Remediation of Sites with Contaminated Media (LAC 33:V.109)(HW084E2).....722

**Governor**

Division of Administration, Racing Commission? Claiming Rule (LAC 35:XI.9905 and 9913).....724

**Health and Hospitals**

Office of the Secretary, Bureau of Health Services Financing? Personal Care Services? Long Term (LAC 50:XV.Chapter 129).....724

Private and Public Non-State Owned and Operated Hospitals? Inpatient Psychiatric Services Reimbursement Increase.....727

Professional Services Program? Physician Services? Reimbursement Increase .....728

Medicaid Eligibility? Medically Needy Program? Incurred Deductions .....729

**Natural Resources**

Office of Conservation? Ground Water Management (LAC 43:VI.Chapters 1-29) .....729

**Treasury**

Board of Trustees of the Louisiana State Employees' Retirement System? Self Directed Plan (LAC 58:I.Chapter 41) .....734

Parochial Employees' Retirement System? Definitions; Eligibility; Scope of Benefits (LAC 58:XI.103, 301, 303, 501, 505, and 509) .....736

**Wildlife and Fisheries**

Wildlife and Fisheries Commission? Public Oyster Season Extension? Lake Borgne.....739

Public Oyster Seed Ground Addition? Lake Borgne (LAC 76:VII.513) .....739

Shrimp Reopening in Portion of State Outside Waters .....740

Small Coastal Shark Fishery Closure .....741

Spotted Seatrout Recreational Regulations .....741

III. RULES

**Economic Development**

Office of Business Development? Small and Emerging Business Development Program (LAC 19:II.Chapters 1-13) .....753

**Education**

Board of Elementary and Secondary Education? Bulletin 111? Louisiana School, District, and State Accountability (LAC 28:LXXXIII.303, 311, 1701, 2701, 2702, 2703, 2713, 2715, 2717, 2719, 2721, 3905, 4001, 4003, and 4005).....763

This public document was published at a total cost of \$3,200.00. Five hundred copies of this public document were published in this monthly printing at a cost of \$3,200.00. The total cost of all printings of this document including reprints is \$3,200.00. This document was published by Moran Printing, Inc. 5425 Florida Boulevard, Baton Rouge, LA 70806, as a service to the state agencies in keeping them cognizant of the new rules and regulations under the authority of R.S. 49:950-971 and R.S. 981-999. This material was printed in accordance with standards for printing by state agencies established pursuant to R.S. 43:30. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes.

The Office of the State Register provides auxiliary aids for the *Louisiana Register* for visually impaired individuals. By appointment, oral presentation of the *Register* is available at the Office of the State Register, or an audiocassette tape of requested sections of the *Register* can be provided for the cost incurred by the Office of the State Register in producing such a tape. For more information contact the Office of the State Register.

|                                                                                                                                                                                                                                         |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Bulletin 112? Louisiana English Language Development Standards (LAC 28:Part LXXXV.Chapters 1-7).....                                                                                                                                    | 768 |
| Bulletin 741? Louisiana Handbook for School Administrators? Career and Technical Course Offerings (LAC 28:I.901).....                                                                                                                   | 773 |
| Bulletin 741? Louisiana Handbook for School Administrators? Curricular Design for Exceptional Students (LAC 28:I.901).....                                                                                                              | 774 |
| Bulletin 746? Louisiana Standards for State Certification of School Personnel? Deadline Date for Completing Endorsements (LAC 28:I.903).....                                                                                            | 774 |
| Bulletin 746? Louisiana Standards for State Certification of School Personnel? PRAXIS Exams and Passing Scores for Louisiana Certification (LAC 28:I.903).....                                                                          | 775 |
| Bulletin 1706? Regulations for Implementation of the Children with Exceptionalities Act? Students with Disabilities (LAC 28:XLIII.373, 449, 517, 519, and 904).....                                                                     | 778 |
| Bulletin 1794? State Textbook Adoption Policy and Procedure Manual? Home Study Program (LAC 28:XXXIII.517).....                                                                                                                         | 780 |
| Student Financial Assistance Commission, Office of Student Financial Assistance? Scholarship/Grant Programs? Discharge of Obligation (LAC 28:IV.911, 1111, and 2105).....                                                               | 780 |
| Scholarship/Grant Programs? Maintaining Eligibility (LAC 28:IV.705 and 805).....                                                                                                                                                        | 781 |
| Youth ChalleNGe Skills Training Program (GO-Youth) (LAC 28:IV.Chapter 15, 1701, 1901, 1903, and 2103).....                                                                                                                              | 782 |
| Tuition Trust Authority, Office of Student Financial Assistance? Bylaws (LAC 28:V.109).....                                                                                                                                             | 785 |
| Student Tuition and Revenue Trust (START Saving) Program? Education Savings Account (LAC 28:VI.107, and Chapter 3).....                                                                                                                 | 786 |
| <b>Environmental Quality</b>                                                                                                                                                                                                            |     |
| Office of Environmental Assessment, Environmental Planning Division? Confidential Information and Records (LAC 33:I.Chapter 5)(OS050).....                                                                                              | 742 |
| Control of Emission of Organic Compounds (LAC 33:III.2104, 2108, 2115, 2123, 2125, 2143, 2147, 2149, 2151, and 2153)(AQ236).....                                                                                                        | 744 |
| Control of Emissions of Nitrogen Oxides (NO <sub>x</sub> ) (LAC 33:III.2201)(AQ234).....                                                                                                                                                | 748 |
| Incorporation by Reference? 2003 (LAC 33:I.3931; V.3099; IX.2301, 4901, 4903; and XV.1517)(OS053*).....                                                                                                                                 | 750 |
| Nonattainment New Source Review Procedures (LAC 33:III.504)(AQ235).....                                                                                                                                                                 | 752 |
| <b>Governor</b>                                                                                                                                                                                                                         |     |
| Commission on Law Enforcement and Administration of Criminal Justice? Peace Officer POST Instructor Development Course (LAC 22:III.4717).....                                                                                           | 791 |
| Used Motor Vehicle and Parts Commission? Licensing Used Motor Vehicle Dealers (LAC 46:V.2901).....                                                                                                                                      | 792 |
| <b>Health and Hospitals</b>                                                                                                                                                                                                             |     |
| Board of Electrologists Examiners? Electrologists Instructors Requirements (LAC 46:XXXV.103, 105, 301, 503, 701, 707, 905, 909, 1301, 1303, 1305, 1307, 1309, 1313, and 1503).....                                                      | 792 |
| Board of Veterinary Medicine? Fees; Prescribing and Dispensing Drugs (LAC 46:LXXXV.501 and 705).....                                                                                                                                    | 796 |
| Licensed Professional Vocational Rehabilitation Counselors Board of Examiners? Licensing and Advisory Opinions (LAC 46:LXXXVI.703 and Chapter 18).....                                                                                  | 798 |
| Licensing Fees (LAC 46:LXXXVI.901).....                                                                                                                                                                                                 | 799 |
| Office of the Secretary, Bureau of Health Services Financing? Early and Periodic Screening, Diagnosis and Treatment Program (EPSDT)? Early Intervention Services for Infants and Toddlers with Disabilities (LAC 50:XV.Chapter 81)..... | 800 |
| Early Periodic Screening, Diagnosis and Treatment Program (EPSDT)? KidMed Services (LAC 50:XV.6705).....                                                                                                                                | 800 |
| Medicaid Estate Recovery Program (LAC 50:I.Chapter 81).....                                                                                                                                                                             | 801 |
| Mental Health Rehabilitation Accreditation (LAC 50:XV.705).....                                                                                                                                                                         | 802 |
| Private Intermediate Care Facilities for the Mentally Retarded? Inventory for Client and Agency Planning (ICAP).....                                                                                                                    | 803 |
| Private Intermediate Care Facilities for the Mentally Retarded? Reimbursement Reduction.....                                                                                                                                            | 803 |
| Private Nursing Facilities? Reimbursement Reduction (LAC 50:VII.1306).....                                                                                                                                                              | 803 |
| <b>Revenue</b>                                                                                                                                                                                                                          |     |
| Policy Services Division? Books of the Corporation (LAC 61:I.320).....                                                                                                                                                                  | 804 |
| <b>Transportation and Development</b>                                                                                                                                                                                                   |     |
| Office of Highways/Engineering? Design Standards (LAC 70:I.Chapter 9).....                                                                                                                                                              | 805 |
| <b>IV. NOTICES OF INTENT</b>                                                                                                                                                                                                            |     |
| <b>Economic Development</b>                                                                                                                                                                                                             |     |
| Office of the Secretary? Capital Companies Tax Credit Program (LAC 10:XV.331).....                                                                                                                                                      | 813 |
| <b>Education</b>                                                                                                                                                                                                                        |     |
| Board of Elementary and Secondary Education? Bulletin 111? Louisiana School, District, and State Accountability System (LAC 28:LXXXIII.301, 514, 703, 1505, 1701, 3101, 3107, and 3109).....                                            | 816 |
| Bulletin 741? Louisiana Handbook for School Administrators? High School Graduation Requirements (LAC 28:I.901).....                                                                                                                     | 818 |
| Bulletin 741? Louisiana Handbook for School Administrators? Instructional Time Requirement (LAC 28:I.901).....                                                                                                                          | 819 |
| Bulletin 746? Louisiana Standards for State Certification of School Personnel? Validity, Reinstatement, Renewal, and Extension of Certificates (LAC 28:I.903).....                                                                      | 820 |

|                                                                                                                                                                                                                                                           |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Bulletin 996? Louisiana Standards for Approval of Teacher Education Programs? Teacher Preparation Program (LAC 28:XLV.Chapters 9 and 11).....                                                                                                             | 821 |
| Bulletin 1508? Pupil Appraisal Handbook (LAC 28:CI.Chapters 1-7) .....                                                                                                                                                                                    | 822 |
| Bulletin 1934? Starting Points Preschool Regulations (LAC 28:XXI.Chapters 1-5).....                                                                                                                                                                       | 853 |
| Bulletin 1943? Policies and Procedures for Louisiana Teacher Assistance and Assessment (LAC 28:XXXVII.511, 701, 901, 1901, 1903, 2101-2105, 2303, 2305, 2501, and 2901).....                                                                              | 856 |
| Tuition Trust Authority, Office of Student Financial Assistance? START Savings Program? Interest Rates 2004 (LAC 28:VI.315).....                                                                                                                          | 860 |
| <b>Environmental Quality</b>                                                                                                                                                                                                                              |     |
| Office of Environmental Assessment, Environmental Planning Division? Bacterial Criteria for Primary and Secondary Contact Recreation Uses and Drinking Water Supply (LAC 33:IX.107, 1105, 1111, 1113, and 1123)(WQ053) .....                              | 860 |
| Fee Number for Title V Facilities (LAC 33:III.223)(AQ243).....                                                                                                                                                                                            | 863 |
| Medical Use of Radioactive Material (LAC 33:XV.102, 104, 492, 703, 704, 709, 710, 712, 715, 716, 717, 719, 726, 728, 729, 731, 735, 736, 737, 739, 741, 742, 743, 744, 745, 747, 748, 750, 751, 755, 756, 757, 758, 759, 762, 763, and 777)(RP034*) ..... | 864 |
| <b>Firefighters Pension and Relief Fund</b>                                                                                                                                                                                                               |     |
| Firefighters Pension and Relief Fund for the City of New Orleans? Partial Lump-Sum Option Payment (LAC 58:V.1901 and 1903).....                                                                                                                           | 881 |
| Qualified Domestic Relations Orders (LAC 58:V.101, 103, and 105) .....                                                                                                                                                                                    | 882 |
| <b>Governor</b>                                                                                                                                                                                                                                           |     |
| Board of Architectural Examiners? Informal Procedures for Violations (LAC 46:I.1903).....                                                                                                                                                                 | 883 |
| Board of Home Inspectors? Home Inspectors (LAC 46:XL.Chapters 1-7).....                                                                                                                                                                                   | 885 |
| Office of Financial Institutions, Office of the Commissioner? Capital Companies Tax Credit Program (LAC 10:XV.331) .....                                                                                                                                  | 813 |
| Real Estate Commission? Mold Disclosure (LAC 46:LXVII.3801).....                                                                                                                                                                                          | 895 |
| <b>Health and Hospitals</b>                                                                                                                                                                                                                               |     |
| Board of Practical Nursing Examiners? Public Comment, Licensure, Adjudication, Program Evaluation (LAC 46:XLVII.301, 303, 306, 1105, and 1305).....                                                                                                       | 895 |
| Office of the Secretary, Bureau of Health Services Financing? Durable Medical Equipment Program Negative Pressure Wound Therapy (LAC 50:XVII.3111-3123) .....                                                                                             | 899 |
| Facility Need Review? Additional Beds for Certain ICF-MRs (LAC 48:I.12503).....                                                                                                                                                                           | 901 |
| Medicaid Eligibility? Filing of Applications (LAC 50:III.501).....                                                                                                                                                                                        | 902 |
| Medical Transportation Program? Non-Emergency Ambulance Services Reimbursement.....                                                                                                                                                                       | 903 |
| <b>Labor</b>                                                                                                                                                                                                                                              |     |
| State Plumbing Board? Continuing Professional Education Programs (LAC 46:LV.103 and Chapter 10) .....                                                                                                                                                     | 904 |
| <b>Social Services</b>                                                                                                                                                                                                                                    |     |
| Office of Community Services? Safe Haven Relinquishments (LAC 67:V.1505).....                                                                                                                                                                             | 915 |
| Office of Family Support? CCAP? Provider Payment Increase (LAC 67:III.5102, 5107, and 5109) .....                                                                                                                                                         | 916 |
| FITAP, CCAP, KCSP, and FSP? Reporting Requirements (LAC 67:III.1257, 1998, 5103, 5104, 5107, and 5347) .....                                                                                                                                              | 919 |
| Office of Rehabilitation Services, Vocational Rehabilitation Services? Financial Information and Transition Planning Process (LAC 67:VII.115 and 119).....                                                                                                | 921 |
| <b>Transportation and Development</b>                                                                                                                                                                                                                     |     |
| Professional Engineers and Land Surveyors? Professional Engineers and Land Surveyors (LAC 46:LXI.Chapters 1-33).....                                                                                                                                      | 923 |
| <b>Treasury</b>                                                                                                                                                                                                                                           |     |
| Parochial Employees' Retirement System? Definitions; Eligibility; Scope of Benefits (LAC 58:XI.103, 301, 303, 501, 505, and 509) .....                                                                                                                    | 952 |
| State Bond Commission? Costs of Issuance and Reporting Requirements (LAC 71:III.701).....                                                                                                                                                                 | 953 |
| <b>Wildlife and Fisheries</b>                                                                                                                                                                                                                             |     |
| Wildlife and Fisheries Commission? Cypress Lake and Black Bayou Reservoir Netting Prohibition (LAC 76:VII.195) .....                                                                                                                                      | 954 |
| Spanish Lake State Game and Fishing Preserve (LAC 76:III.329) .....                                                                                                                                                                                       | 955 |
| <b>V. ADMINISTRATIVE CODE UPDATE</b> .....                                                                                                                                                                                                                | 956 |
| <b>VI. POTPOURRI</b>                                                                                                                                                                                                                                      |     |
| <b>Agriculture and Forestry</b>                                                                                                                                                                                                                           |     |
| Horticulture Commission? Annual Quarantine Listing? 2004 .....                                                                                                                                                                                            | 957 |
| <b>Environmental Quality</b>                                                                                                                                                                                                                              |     |
| Office of Environmental Assessment, Environmental Planning Division? Baton Rouge Ozone Attainment Demonstration State Implementation Plan (SIP) Revision .....                                                                                            | 959 |
| <b>Governor</b>                                                                                                                                                                                                                                           |     |
| Division of Administration, Office of Community Development? Public Hearing? FY 2003 Consolidated Annual Performance and Evaluation Report and Consolidated Plan for FY 2005-FY 2009.....                                                                 | 959 |
| <b>Health and Hospitals</b>                                                                                                                                                                                                                               |     |

|                                                                                                 |     |
|-------------------------------------------------------------------------------------------------|-----|
| Office of Public Health? Public Hearing? Preventive Health and Health Services Block Grant..... | 960 |
| <b>Natural Resources</b>                                                                        |     |
| Office of Conservation? Orphaned Oilfield Sites.....                                            | 961 |
| Office of the Secretary, Fishermen's Gear Compensation Fund? Loran Coordinates .....            | 961 |
| <b>Revenue</b>                                                                                  |     |
| Policy Services Division? Natural Gas Severance Tax Rate .....                                  | 961 |
| <b>Social Services</b>                                                                          |     |
| Bureau of Licensing? Applications for Licensing .....                                           | 962 |
| <b>VII. INDEX</b> .....                                                                         | 963 |