

**October 2024**

**Economic Impact Statements for Proposed Rules**

The corresponding proposed rule to each of the statements below may be viewed in its entirety in the October 20, 2024 *Louisiana Register*. Each *Louisiana Register* edition is published on the 20<sup>th</sup> of each month.

<b>Promulgating Agency</b>	<b>Proposed Rule Title</b>	<b>Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses, or Nongovernmental Groups</b>
<b>Department of Agriculture and Forestry</b>	<b>Retail and Wholesale Florists</b>	The proposed rule changes may result in cost savings to retail florist licensees who choose to operate with a cut flower dealer permit. The fee for a license renewal is \$100 per year, while a cut flower dealer permit is \$90 per year. With the removal of testing requirements, an increase in the number of businesses operating may increase.
<b>Department of Agriculture and Forestry</b>	<b>Seafood Consumer Protection</b>	The proposed rules are estimated to economically benefit consumers in the state of Louisiana by preventing misleading packaging that may influence their purchasing decisions for crawfish, shrimp, and related products. Affected businesses, seafood packagers, and distributors may incur additional production costs associated with repackaging existing product or modifying future packaging to comply with the provisions of R.S. 3:4706, pursuant to Act 148 of the 2024 Regular Session, and the proposed rule changes.
<b>Department of Agriculture and Forestry</b>	<b>Indian Creek Recreation Area</b>	The proposed rule changes increase the following fees at the recreation area: Day-use visitors will pay an additional \$1 or \$3 per visit depending on if the number of occupants in their vehicle is greater than five occupants. Campsite patrons will pay an additional \$5 per night for the campsite rental. During the winter months, patrons who take advantage of the 30-day campsite rental will spend an additional \$70 or \$90 depending on the type of campsite they rent. Large pavilion renters will pay an additional \$25, and small pavilion rentals \$5 per rental. Watercraft renters up to \$30 additionally per day of watercraft usage. Businesses that wish to attend hosted events as vendors will pay \$75 per event.
<b>Department of Agriculture and Forestry</b>	<b>Timber Harvesting</b>	The proposed rule establishes the requirements that any person conducting timber harvesting in Louisiana must have a written contract or agreement if the landowner intends to cut five acres or more. to have a written contract or agreement. Failure to comply may result in a civil penalty of up to \$5,000. There are no estimated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups for establishing an agreement for conducting timber harvesting.
<b>Louisiana Economic Development</b>	<b>Administrative and Miscellaneous Provisions</b>	There are no anticipated costs to directly affected persons, small businesses, or non-governmental groups. To the extent someone is able to attend a meeting via electronic means that might not otherwise be able to, an economic impact may result.
<b>Board of Elementary and Secondary Education</b>	<b>Advisory Groups and Remote Participation</b>	There are potential anticipated benefits to directly affected persons as a result of the proposed rule change. Remote participation by members of an advisory group or the public who have a disability may expand stakeholder input while reducing travel time and expense that may be incurred for an in-person meeting.
<b>Board of Elementary and Secondary Education</b>	<b>Bulletin 126—Charter Schools Charter Schools</b>	Workload for charter school administrators may be slightly reduced due to removal of the requirement to apply for an extension review after the third year of a charter school term as well as a renewal review after the fourth year of the term. Workload for charter school teachers may also be reduced due to removal of several state-mandated training requirements.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses, or Nongovernmental Groups
Board of Elementary and Secondary Education	<b>Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel Performance and Professional Development</b>	There is a potential consequence of contract non-renewal should a superintendent fail to meet the performance criteria established; however, the proposed rule does not address contract provisions in their entirety but rather adds clarity regarding the literacy and mathematics components of the evaluation.
Board of Elementary and Secondary Education	<b>Bulletin 135—Health and Safety Medication and Student Health</b>	There are potential anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change to the extent that credentialing entities that provide the training and certification may see increased scheduling of services and additional receipt of the associated fees. Such an increase would be dependent upon receipt by the local system of appropriated or donated funds to cover training costs.
Board of Elementary and Secondary Education	<b>Bulletin 741—Louisiana Handbook for School Administrators—School Administration</b>	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	<b>Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators Nonpublic Schools Legislative Response</b>	The proposed rule change may result in a decrease in workload for teachers and administrators due to the removal of several state-mandated training requirements for educators. There are no anticipated impacts to small businesses or nongovernmental groups.
Board of Elementary and Secondary Education	<b>Bulletin 1566—Pupil Progression Policies and Procedures Numeracy and High Dosage Tutoring</b>	Depending on how each school system designs its plan; tutors, tutoring services, current or retired teachers, or trained paraprofessionals could receive additional compensation in exchange for the provision of tutoring services.
Board of Elementary and Secondary Education	<b>Bulletin 1929—Louisiana Accounting and Uniform Governmental Handbook Assignment of Chief Operating Officer</b>	There are no anticipated costs or benefits to directly affected persons, small businesses, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	<b>Let Teachers Teach Legislation and Updates</b>	Educators may realize a reduction in workload due to the removal of several state-mandated training requirements. There is no anticipated impact on small businesses or nongovernmental groups.
Board of Elementary and Secondary Education	<b>Special Education</b>	There are no anticipated costs or economic benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Department of Environmental Quality	<b>Emissions Inventory</b>	Small businesses that no longer meet the regulatory applicability will no longer need to request and receive approval to discontinue reporting. This will reduce their need to submit one letter/form to the department. Instead, they can simply stop reporting.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses, or Nongovernmental Groups
Department of Health	Professional Services Program Reimbursement Methodology	This proposed rule amends the provisions governing reimbursement methodology in the Professional Services Program in order to allow coverage of physician administered biosimilar drugs in Mary Bird Perkins Cancer Centers and establish the reimbursement methodology for their use. This is anticipated to be a positive impact on beneficiaries it will facilitate easier access to cancer treatments and medications. Providers will benefit from implementation of this proposed rule, since it is anticipated to increase Medicaid payments to specified hospitals by approximately \$3,858,196 for FY 24-25, \$11,527,619 for FY 25-26, and \$11,758,172 for FY 26-27.
Department of Health	Ambulatory Surgical Center	This proposed rule amends provisions governing ASCs to provide consistency in the regulations that ASCs are required to obtain a line of credit from a federally insured, licensed lending institution in the amount of at least \$100,000. It is anticipated that implementation of this proposed rule may result in an indeterminable amount of costs to ASCs in FY 24-25, FY 25-26, and FY 26-27.
Department of Health	Facility Need Review	This proposed rule amends provisions governing facility need review (FNR) in order to require residential substance abuse treatment providers, except those that provide services to women, adolescents, or both to be subject to FNR in accordance with Act 692 of the 2024 Regular Session of the Louisiana Legislature. It is anticipated that implementation of this proposed rule may result in an indeterminable amount of costs to BHSPs in FY 24-25, FY 25-26, and FY 26-27, since BHSPs who choose to provide additional behavioral health services will be required to pay a nonrefundable application fee.
Department of Health	Free-Standing Birth Centers Licensing Standards	This proposed rule amends provisions governing FSBC in order to update general provisions for licensure, requirements for policies and procedures, and client discharge procedures in accordance with Acts 122 and 624 of the 2024 Regular Session of the Louisiana Legislature. The proposed rule also amends the provisions governing the licensing of FSBC providers in order to update requirements for provisional licensure and deemed status. It is anticipated that implementation of this proposed rule will not result in costs to FSBC in FY 24-25, FY 25-26, and FY 26-27.
Department of Health	Healthcare Facility Sanctions	This proposed rule amends provisions governing HFS in order to define the terms sanction and repeat violation. It is anticipated that implementation of this proposed rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to providers to provide the same level of service, and will have no impact on the providers' ability to provide the same level of service.
Department of Health	Commercial Body Art	It is anticipated that this proposed rule will add a nominal cost to the business owners of commercial body art establishments.
Department of Health	Registration of Foods, Drugs, Cosmetics and Prophylactic Devices	It is anticipated that this proposed rule will significantly constrict the market in terms of what products may be available to consumers and this will have a detrimental impact on industry stakeholders.
Department of Health	Regulation of Medical Marijuana	It is anticipated that this proposed rule will have no effect on costs or benefits of this program to stakeholders.
Department of Insurance	Regulation 112—Adoption of NAIC Handbooks, Guidelines, Forms, and Instructions	The proposed rule changes will benefit persons and entities seeking to identify which handbooks or guidelines are currently being incorporated by reference that serve as professional guidance for entities under the purview of LDI. These handbooks and guidelines will be available for public viewing in hardcopy form at the offices of the LDI and Office of State Register and online at the NAIC website.

<b>Promulgating Agency</b>	<b>Proposed Rule Title</b>	<b>Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses, or Nongovernmental Groups</b>
<b>Department of Insurance</b>	<b>Regulation 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund</b>	The proposed rule will provide the guidelines for the creation of the Louisiana Churches and Nonprofit Religious Organizations Self-Insurance Funds. The creation of these self-insurance funds is for the purpose of providing property insurance for local churches and religious buildings in Louisiana.
<b>Department of Public Safety and Corrections</b>	<b>Public Tag Agents</b>	To the extent persons, firms, or employees violate current statute, administrative rules, contract terms, or department policy, they may incur fines ranging from \$25 to \$250 based on the classification of the offense.