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Executive Orders

EXECUTIVE ORDER JML 24-176

Fiscal Responsibility Program

WHEREAS, Louisiana deserves a government as good as her people;

WHEREAS, thanks to the hard work of our legislature and numerous stakeholders, officials, and citizens, we have recently passed historic tax legislation to Louisiana's citizens, returning our people's tax dollars back to them;

WHEREAS, our state government has worked diligently in the past year to eliminate wasteful spending and to identify areas to improve government efficiency;

WHEREAS, our state budget has ballooned in recent years to unprecedented levels, even while our population shrank;

WHEREAS, much more work is needed to be done to address a bloated government budget so that our budget accurately serves the needs of our citizens;

WHEREAS, as a United States Congressman, I worked to reduce our federal government spending and to use our tax dollars responsibly;

WHEREAS, as Attorney General of Louisiana, I continued to fight wasteful spending and worked to save millions in taxpayer dollars;

WHEREAS, I worked to create efficiencies, cut costs, and empowered our state employees to help us find ways to modernize our government;

WHEREAS, as Governor, I worked to create a budget with a final reduction of \$2 billion from the previous state budget;

WHEREAS, we have more work to do to create a state budget that prioritizes the needs of the people and providing the necessary services;

WHEREAS, our government can and should be more efficient, modern, and accountable to our people;

WHEREAS, numerous opportunities exist to save money, avoid wasteful spending, and make our government leaner and more responsible;

WHEREAS, input from every state employee, stakeholder, and citizen is welcome and necessary as we embark on this endeavor to make our government more responsible and efficient.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: The Fiscal Responsibility Program is hereby established within the executive department, Office of the Governor.

Section 2: The duties of the Fiscal Responsibility Program shall include, but are not limited to, the following:

A. Review the current expenditures in the state budget and identify opportunities for reductions.

B. Evaluate all state contracts to determine if they are necessary to renew, modify, or terminate.

C. Evaluate the staff levels at all state departments, agencies, and offices to determine where vacancies can be eliminated.

D. Evaluate all large acquisitions to determine if there are more cost-effective alternatives or if the acquisition is necessary at all.

E. Review all state programs that are not statutorily or legally required to determine if they can be eliminated or reduced.

F. Review all activities to identify areas of duplication within a department or across all of state government.

G. Determine any other discretionary State General Fund spending that can be reduced or eliminated.

H. Determine any other efficiencies that can be implemented to save State General Fund dollars or improve delivery of services without increasing costs.

I. Identify any efficiencies that can be made to reduce the burdens on taxpayers, including wait times for state services.

J. Identify areas where technology can help expedite state services, especially if the use of technology can result in cost-savings to the state.

K. Identify the most modern and efficient ways to provide services to our citizens.

L. Identify what services are no longer needed by citizens of our state.

M. Identify what services can be provided to our citizens at a lower cost.

N. Identify any possible areas that may be regarded as possible government waste.

O. Identify any areas where state government can be more modern, efficient, and less costly to taxpayers.

P. Meet and confer with any willing state government employee, official, stakeholder, or citizen to gather their input to identify the objects in this executive order.

Section 3: The Fiscal Responsibility Program shall be headed by a Fiscal Responsibility Czar, appointed by the Governor.

Section 4: The Fiscal Responsibility Program shall report its findings on an annual basis. The first such report shall be presented to the Governor, the Speaker of the House, and the President of the Senate no later than December 31, 2025.

Section 5: The Fiscal Responsibility Program shall be comprised of a minimum of nine members:

A. Four (4) members of the Louisiana State Senate, appointed by the President of the Senate;

B. Four (4) Members of the Louisiana House of Representatives, appointed by the Speaker of the House;

C. Additional members as needed as appointed by the Governor.

Section 6: The Fiscal Responsibility Czar, Steve Orlando, shall be the chair of the Fiscal Responsibility Program. All other officers, if any, shall be elected by the members of the Task Force.

Section 7: Meetings of the Fiscal Responsibility Program shall be held at the call of the Fiscal Responsibility Czar.

Section 8: Support staff, facilities, and resources for the Fiscal Responsibility Program shall be provided by the Office of the Governor and other departments of the executive branch of state government.

Section 9: All departments, commissions, boards, offices, entities, agencies, and officers of the State of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Task Force in implementing the provisions of this Order.

Section 10: This order is effective upon signature of the Governor, and it shall remain in effect until amended, modified, terminated or rescinded by the Governor, or until terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 11th day of December, 2024.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#071

EXECUTIVE ORDER JML 24-177

State of Emergency
Hurricane Francine—September 9, 2024

WHEREAS, the Governor is responsible for meeting the dangers to the state and its citizens presented by emergencies and disasters;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which include actual or potential conditions created by such disasters, in order to ensure that preparations by the State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(l) empowers him to declare a state of emergency or disaster by executive order which has the force and effect of law;

WHEREAS, La. R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, Governor Jeff Landry declared a state of emergency in response to the imminent threat posed by Hurricane Francine on September 9, 2024, in JML 24-142;

WHEREAS, JML 24-142 has been renewed and extended every thirty (30) days through JML 24-168, which is in effect through Sunday, December 15, 2024;

WHEREAS, a declaration of emergency or disaster activates the state's emergency response and recovery program under the command of the director of the Governor's Office of Homeland Security and Emergency Preparedness ("GOHSEP");

WHEREAS, GOHSEP is responsible for determining the requirements of the state and its political subdivisions for food, clothing, and other necessities and supplies in a designated emergency area;

WHEREAS, Hurricane Francine made landfall on the Louisiana coast on Wednesday, September 11, 2024, as a Category 2 hurricane with over 100 mile-per-hour winds and was the third and largest storm to hit the United States this year;

WHEREAS, Hurricane Francine brought devastating winds, widespread power outages, and damage to Louisiana;

WHEREAS, on September 16, 2024, the President of the United States declared that a major disaster exists in the State of Louisiana (FEMA-4817-DR) during the period of September 9-12, 2024;

WHEREAS, several parishes have issued emergency declarations, and executed their emergency response plans, and may require assistance from the State of Louisiana to provide resources to protect the life, safety, and welfare of the citizens of Louisiana;

WHEREAS, the State of Louisiana, recognizing the significant impact of Hurricane Francine, desires to minimize this impact on the residents and assist communities in their recovery;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to exist as a result of the emergency conditions that currently threaten the lives, safety, and property of the citizens of Louisiana.

Section 2: Pursuant to R.S. 29:724 (A)(3), the designated emergency area is the entire State of Louisiana.

Section 3: The Director of GOHSEP is hereby authorized to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 4: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 5: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code, (R.S. 39:1551, *et seq.*), and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*), and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any goods or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 6: All departments, commissions, boards, agencies, and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this event.

Section 7: This Order is effective Friday, December 13, 2024, and shall continue in effect until Sunday, January 12, 2025, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 13th day of December, 2024.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#072

EXECUTIVE ORDER JML 24-178

Renewal of State of Emergency
Severe Storms and Tornadoes—December 13, 2022

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, in order to ensure that preparations of the state will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers him to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, the National Weather Service indicated a high risk of numerous severe thunderstorms beginning on the late evening of Tuesday, December 13, 2022 throughout the night into most of the day on Wednesday, December 14, 2022, with the possibility of tornadoes, damaging winds gust, excessive rain, and moderate to large hail;

WHEREAS, by Tuesday night, it was reported that one or more tornadoes had touched down in Caddo, near Four Forks, Louisiana, with several more tornadoes having been reported in Union, Rapides, Madison, East Carroll, and Franklin parishes;

WHEREAS, the tornadoes caused significant damage and power outages throughout northwest and northcentral Louisiana, with a report of two known deaths related to these tornadoes;

WHEREAS, severe damage was caused by the tornados to the safety, health, and security of the citizens of the state, along with damage to private property and public facilities;

WHEREAS, Proclamation Number 183 JBE 2022 has been renewed and extended every thirty (30) days through Executive Order Number JML 24-170, which is in effect through December 15, 2024, and;

WHEREAS, there is a need to continue Executive Order Number JML 24-170 because several parishes are still working to recover from the damage caused by these storms.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to exist in the State of Louisiana as a result of the imminent threat of emergency conditions that threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 5: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this severe weather event.

Section 6: This order is effective upon signature and shall remain in effect from Friday, December 13, 2024 to Sunday, January 12, 2025, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 13th day of December 2024.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#073

EXECUTIVE ORDER JML 24-179

Renewal of State of Emergency—Hurricane Ida

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake, or other natural or manmade causes, in order to ensure that preparations of this state will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., Governor John Bel Edwards declared a state of emergency in response to the imminent threat posed by Hurricane Ida on August 26, 2021, in Proclamation Number 165 JBE 2021;

WHEREAS, Proclamation Number 165 JBE 2021 has been renewed and extended every thirty (30) days through JML 24-171, which is in effect through Sunday, December 22, 2024;

WHEREAS, Hurricane Ida made landfall on the Louisiana coast as a major hurricane on Sunday, August 29, 2021, bringing devastating winds, widespread power-outages, and severe damage to Louisiana and its citizens.

WHEREAS, on August 27, 2021, President Joseph R. Biden approved an Emergency Declaration for the State of Louisiana, authorizing appropriate assistance under Title V of the Stafford Act, to be coordinated by the United States Department of Homeland Security and the Federal Emergency Management Agency;

WHEREAS, on August 29, 2021, President Biden approved a Major Disaster Declaration for the State of Louisiana, authorizing individual and public assistance for all impacted parishes;

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, damage from this storm continues to pose a threat to citizens and communities across the Gulf Coast and create conditions that place lives and property in the state in jeopardy;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency is hereby declared to continue to exist statewide in the State of Louisiana as a result of the threat of emergency conditions that threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551, et seq.) and Louisiana Public Bid Law (R.S. 38:2211, et seq.) and their corresponding rules and regulations continue to be suspended for the purpose of the procurement of any goods or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 5: Pursuant to R.S. 29:724(D)(1), the provisions of R.S. 39:126 regarding prior approval of change orders continue to be suspended.

Section 6: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this severe weather event.

Section 7: This Order is effective upon signature and shall continue in effect from Friday, December 20, 2024 to Sunday, January 19, 2025, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 20th day of December 2024.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#074

EXECUTIVE ORDER JML 24-180

Renewal of State of Emergency Threat of Subsidence, Subsurface Instability, and Presence of Hydrocarbons in Sulphur Mines Salt Dome Area

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation Number 160 JBE 2023;

WHEREAS, Proclamation Number 160 JBE 2023 has been renewed and extended every thirty (30) days through JML 24-172 which is in effect through Sunday, December 22, 2024;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers the Governor to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, local, state, and federal agencies began monitoring subsurface seismic activity occurring in the vicinity of the Sulphur Mines salt dome in Calcasieu Parish in December of 2021, with a true seismic monitoring array being ordered by the Office of Conservation, which came online in January of 2023;

WHEREAS, the Office of Conservation began investigating unexplained hydrocarbon bubbling within the area of concern in January of 2023, as well as monitoring seismicity, and the rate of subsidence in the area of concern;

WHEREAS, on Wednesday September 20, 2023, in response to this subsidence and seepage, Commissioner of Conservation, Monique M. Edwards made a declaration of emergency under the authority of Louisiana Revised Statutes 30:1 *et seq.*, ordering the operator of the salt cavern underneath the area of subsidence to undertake all necessary activities to evaluate and abate any deterioration of the cavern's integrity;

WHEREAS, the State anticipates that further assistance may be needed to assist Calcasieu Parish in their response to this continuing threat; and

WHEREAS, it is necessary to continue the measures provided in Proclamation Number 160 JBE 2023 to further protect the health and safety of the citizens of Louisiana;

NOW THEREFORE I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721 *et seq.*, a state of emergency is hereby declared to exist in the Parish of Calcasieu, as a result of seismic activity, lost cavern integrity, increased hydrocarbon bubbling, and accelerated subsidence, that collectively indicate a potential for structural failure that could potentially threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness is hereby authorized to undertake any activity authorized by law which he deems appropriate in response to this declaration.

Section 3: All departments, commissions, boards, agencies, and officers of the State or any political subdivision thereof, are authorized and directed to cooperate in actions, the State may take in response to this incident.

Section 4: This Order is effective upon signature and shall continue in effect from Friday, December 20, 2024, to Sunday, January 19, 2025, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 20th day of December 2024.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#075

EXECUTIVE ORDER JML 24-181

Renewal of State of Emergency Cybersecurity Incidents

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies, including those caused by breach of cybersecurity, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, pursuant to R.S. 29:724(B)(1), Governor John Bel Edwards declared a state of emergency on December 28, 2023, in Proclamation Number 236 JBE 2023 in response to the threat of intentional cybersecurity breaches of public entities throughout the State of Louisiana;

WHEREAS, Proclamation Number 263 JBE 2023 has been renewed and extended every thirty (30) days through JML 24-173, which is in effect through Friday, December 27, 2024;

WHEREAS, there have been severe, intentional cybersecurity breaches of public entities throughout the State of Louisiana;

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, the State anticipates various state agencies and political subdivisions will need to continue to work cooperatively to mitigate any damage, current or future, as a result of these cybersecurity breaches.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to continue to exist statewide in the State of Louisiana as a result of the imminent threat to the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate in actions the state may take in response to the effects of this cybersecurity event.

Section 5: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are further authorized and directed to take all actions necessary to preserve the security and confidentiality of any data related to this emergency, including the execution of Memoranda of Understanding (MOUs), Non-Disclosure Agreements (NDAs), and/or any other related documents.

Section 6: Any departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, that may be affected by this cybersecurity emergency are directed to work with state officials to ensure there is a coordinated response to this event and are further directed to comply with the requirements of the Database Security Breach Notification Law, R.S. 51:3071 *et seq.*

Section 7: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551 *et seq.*), Louisiana Public Bid Law (R.S. 38:2211, *et seq.*), and the Louisiana Information Technology Procurement Code (R.S. 39:196-200), and their corresponding rules and regulations are hereby suspended if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with this emergency.

Section 8: This Order is effective upon signature and shall continue in effect from Friday, December 27, 2024 to Sunday, January 26, 2025, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 27th day of December 2024.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#076

EXECUTIVE ORDER JML 25-01

State of Emergency
New Orleans, Super Bowl, and Mardi Gras Season

WHEREAS, the Governor is responsible for meeting the dangers to the state and people presented by emergencies and disasters;

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which include actual or potential conditions created by such disasters;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers him to declare a state of emergency or disaster by executive order, which has the force and effect of law;

WHEREAS, a declaration of emergency or disaster activates the state's emergency response and recovery program under the command of the director of the Governor's Office of Homeland Security and Emergency Preparedness;

WHEREAS, the Governor's Office of Homeland Security and Emergency Preparedness is responsible for determining the requirements of the state and its political subdivisions for food, clothing, and other necessities and supplies in a designated emergency area;

WHEREAS, R.S. 29:724 authorizes the Governor during a declared state of emergency or disaster, to direct and compel the evacuation of all or part of the population, from any stricken or threatened area within the state, when he deems such evacuation necessary for the preservation of life, or other disaster mitigation, response, or recovery;

WHEREAS, the Governor may prescribe routes, modes of transportation, and destination in connection with evacuation;

WHEREAS, the Governor may make provisions for the availability and use of temporary emergency housing;

WHEREAS, the Governor may regulate ingress and egress to and from a disaster area, control the movement of persons within a certain area, and manage the occupancy of premises therein;

WHEREAS, when the Governor determines that a disaster or emergency has occurred the Louisiana Homeland Security and Emergency Assistance and Disaster Act confers upon the Governor the power to utilize all available

resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the disaster or emergency;

WHEREAS, the Governor may transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purposes of performing or facilitating emergency services;

WHEREAS, at approximately 3:15 a.m. today, a vehicle, in a targeted act of terrorism, breached barricades at Canal Street and proceeded south on Bourbon Street, resulting in a mass casualty incident;

WHEREAS, the vehicle was found to contain an explosive device;

WHEREAS, the situation remains an active and ongoing investigation;

WHEREAS, the City of New Orleans is preparing to host the Sugar Bowl;

WHEREAS, the City of New Orleans will host Super Bowl LIX on Sunday, February 9, 2025, at the Caesars Superdome, at a time that coincides with the Mardi Gras season;

WHEREAS, the U.S. Department of Homeland Security has designated Super Bowl LIX as a Special Event Planning Assessment (“SEAR”) Level 1;

WHEREAS, a SEAR Level 1 event is a significant event with national and/or international importance that requires extensive federal interagency support as well as state and local resources to detect and prevent potential weapons of mass destruction and/or chemical weapons; prevent the entry of contraband, such as narcotics, weapons, and explosives into the event; prevent civil disturbances; and prevent terrorism and targeted violence;

WHEREAS, the City of New Orleans is expected to see hundreds of thousands of visitors in the weeks leading up to the Super Bowl and Mardi Gras;

WHEREAS, extensive coordination and security measures are necessary to secure areas around the events and ensure public safety from the threats associated with these events, including but not limited to threats of terrorism, targeted violence, chemical warfare, civil disturbances, human trafficking, and sexual assault;

WHEREAS, it is necessary to begin securing the perimeter of the Superdome, as well as high density areas including around the interstate, the parade routes, the Central Business District, and the French Quarter;

WHEREAS, it may be necessary to provide emergency temporary housing for those that are homeless and occupying the areas surrounding the Caesars Superdome, and high density areas including around the interstate, the Downtown Development District, and the French Quarter;

WHEREAS, it is necessary to develop procedures, arrangements, and agreements to identify, acquire, and mobilize all the resources in and of the state in pursuit of preparedness of the State;

WHEREAS, it is necessary to develop and maintain information and liaison with agencies and organizations with local, parish, state, and federal government, private industry, and Non- Governmental Organizations (“NGO”) that can furnish assistance in an emergency or disaster;

WHEREAS, it is necessary to build, equip, organize, and maintain the Emergency Operations Center as a control and coordination facility for state departments and agencies,

private industry, and volunteer groups to come to work together;

WHEREAS, R.S. 29:724 authorizes the Governor during a declared state of emergency or disaster to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers the Governor to declare a state of emergency by executive order or proclamation, or both;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency and disaster is hereby declared to exist as a result of the emergency conditions that currently threaten the lives, safety, and property of the citizens in Louisiana.

Section 2: Pursuant to R.S. 29:724 (A)(3), the designated emergency area is the Parish of Orleans.

Section 3: The Director of the Governor’s Office of Homeland Security and Emergency Preparedness (“GOHSEP”) is hereby authorized to activate the State’s Emergency Operations Plan as needed and undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 4: The Director of GOHSEP shall take immediate and appropriate action to determine, direct, mobilize, and coordinate State resources as needed.

Section 5: GOHSEP, the Louisiana State Police (“LSP”), and the Louisiana National Guard (“LANG”) will coordinate with the necessary entities within the state and federal government to organize, collaborate, implement, and maintain an adequate level of security.

Section 6: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby suspended for the State Departments and the City of New Orleans, for the purpose of the procurement of any goods or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 7: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

EXECUTIVE ORDER JML 25-03

Renewal of State of Emergency—Department of
Transportation and Development

Section 8: Every State department, agency, and office is directed to provide any assistance and support requested by GOHSEP as needed to assist in response to this emergency.

This Order is effective from the date of the emergency, Wednesday, January 1, 2025, and shall continue in effect until Monday, January 27, 2025, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 1st day of January 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#077

EXECUTIVE ORDER JML 25-02

Flags at Half-Staff in Remembrance of
Victims of the Bourbon Street Attack

WHEREAS, in the early morning hours of January 1, 2025, at approximately 3:15 a.m., a vehicle was deliberately driven into a crowd on Bourbon Street in an act of terrorism, resulting in multiple fatalities and numerous injuries;

WHEREAS, the victims, their families, and friends are enduring unimaginable pain and loss, and this senseless act of violence has deeply affected the fabric of our community, calling for strength, solidarity, and a commitment to collective healing during this time of grief;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, call upon all citizens to join in prayer for the victims, their families, and friends and by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: To honor and remember the victims of this tragic event, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings from sunrise to sunset on January 2, 2025.

Section 2: This Order is effective upon signature and shall remain in effect until sunset, January 2, 2025.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 1st day of January 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#078

WHEREAS, pursuant to R.S.48:757, Governor John Bel Edwards declared a state of emergency on October 5, 2017, in Proclamation Number 109 JBE 2017 for repairs to certain roadways on the campus of Southern University and Agricultural and Mechanical College including F Street and H Street (also known as Farm Road);

WHEREAS, in Baton Rouge, Louisiana on the campus of Southern University and Agricultural and Mechanical College, certain roadways, including F Street and H Street (also known as Farm Road), are in need of immediate repairs due to the partial collapse of H Street and its slope destabilization;

WHEREAS, the damage has created significant drainage problems, which have been exacerbated by flooding that continues to be experienced in the area, which could result in loss of life and property;

WHEREAS, Southern University has requested that the Department of Transportation and Development assist in providing matching funds and manpower to assist in making the necessary repairs to the campus roadways and enhancements;

WHEREAS, the Department of Transportation and Development has funds available for use as a match and manpower to help repair the compromised roadways and enhancements on Southern University’s campus;

WHEREAS, R.S. 29:724 confers upon the Governor the power to suspend the provisions of any regulatory statute prescribing the procedures for the conduct of state business if strict compliance with the provisions of any statute would in any way prevent, hinder, or delay necessary action in coping with an emergency;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency was declared through Proclamation Number 109 JBE 2017.

WHEREAS, R.S. 48:757 permits the use of state funds on roads outside of the state and federal highway system upon a finding and declaration of an emergency by the Governor.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to R.S. 48:757, a state of emergency is hereby declared on the campus of Southern University in the City of Baton Rouge for the areas surrounding F and H Streets, for the limited purpose of authorizing the expenditure of state funds to make the necessary repairs to the campus roadways and enhancements.

Section 2: Pursuant to R.S. 29:724, the prohibitions in R.S. 48:757, proscribing the performance of work on a non-state highway system road or street, are hereby suspended to allow for the Department of Transportation and Development to perform the necessary actions to cope with the emergency on Southern University’s campus.

Section 3: The Secretary of the Department of Transportation and Development is hereby authorized to provide funds for the express purpose of meeting the total match that is required to perform the necessary repairs and to provide the manpower necessary to make the repairs to the non-state highway system campus roadways, including F Street and H Street and its enhancements, slope, and drainage.

Section 4: This Order is effective upon signature and shall continue in effect from Friday, January 3, 2025 to Sunday, February 2, 2025, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 3rd day of January 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#079

EXECUTIVE ORDER JML 25-04

Period of Mourning—State of Louisiana
Bourbon Street Attack

WHEREAS, the tragic events of January 1, 2025, have left a profound impact on the nation and the State of Louisiana;

WHEREAS, the start of the new year presents a time for reflection, celebration, and renewal; however, for many in our beloved State, it is marred with a sense of great sorrow and grief;

WHEREAS, this tragedy serves as a reminder of the importance of unity, resilience, and compassion in the face of acts of terrorism and hatred;

WHEREAS, acts of terrorism undermine the principles of peace and safety that bind our communities, and it is incumbent upon us to honor the memory of those lost by standing together against such senseless violence;

WHEREAS, we are called upon to support one another during times of need;

WHEREAS, it is fitting and proper for the entire State of Louisiana to lower the flags of the United States and the State of Louisiana as a visible sign of respect and remembrance for the victims;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: To honor and remember the victims of this tragic event, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings on the following days in remembrance of each individual victim who lost their lives:

On Monday, January 6, 2025: In remembrance of Kareem Badawi.

On Tuesday, January 7, 2025: In remembrance of Tiger Bech.

On Wednesday, January 8, 2025: In remembrance of Drew Dauphin.

On Thursday, January 9, 2025: In remembrance of Nikyra Dedeaux.

On Friday, January 10, 2025: In remembrance of William “Billy” DiMaio.

On Monday, January 13, 2025: In remembrance of Hubert Gauthreaux.

On Tuesday, January 14, 2025: In remembrance of Reggie Hunter.

On Wednesday, January 15, 2025: In remembrance of Nicole Perez.

On Thursday, January 16, 2025: In remembrance of Terrance “Terry” Kennedy.

On Friday, January 17, 2025: In remembrance of Matthew Tenedorio.

Section 2: All political subdivisions, private entities, and educational institutions, including public, private, parochial, and post-secondary institutions, are encouraged to lower the flags of the United States and the State of Louisiana to half-staff during this period.

Section 3: This Order is effective upon signature and shall remain in effect until sunset, January 17, 2025, or until amended. This Order will be revised and amended as additional victims are identified.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 3rd day of January 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#080

EXECUTIVE ORDER JML 25-05

Amended Period of Mourning—State of Louisiana
Bourbon Street Attack

WHEREAS, the tragic events of January 1, 2025, have left a profound impact on the nation and the State of Louisiana;

WHEREAS, the start of the new year presents a time for reflection, celebration, and renewal; however, for many in our beloved State, it is marred with a sense of great sorrow and grief;

WHEREAS, this tragedy serves as a reminder of the importance of unity, resilience, and compassion in the face of acts of terrorism and hatred;

WHEREAS, acts of terrorism undermine the principles of peace and safety that bind our communities, and it is incumbent upon us to honor the memory of those lost by standing together against such senseless violence;

WHEREAS, we are called upon to support one another during times of need;

WHEREAS, it is fitting and proper for the entire State of Louisiana to lower the flags of the United States and the State of Louisiana as a visible sign of respect and remembrance for the victims;

EXECUTIVE ORDER JML 25-06

Flags at Half-Staff—Judge Salvadore T. Mulé

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: JML 25-004 is hereby modified and amended to honor and remember additional victims of the Bourbon Street Attack.

Section 2: To honor and remember the victims of this tragic event, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings on the following days in remembrance of each individual victim who lost their lives:

On Monday, January 6, 2025: In remembrance of Kareem Badawi.

On Tuesday, January 7, 2025: In remembrance of Tiger Bech.

On Wednesday, January 8, 2025: In remembrance of Drew Dauphin.

On Thursday, January 9, 2025: In remembrance of Nikyra Dedeaux.

On Friday, January 10, 2025: In remembrance of William “Billy” DiMaio.

On Monday, January 13, 2025: In remembrance of Hubert Gauthreaux.

On Tuesday, January 14, 2025: In remembrance of Reggie Hunter.

On Wednesday, January 15, 2025: In remembrance of Nicole Perez.

On Thursday, January 16, 2025: In remembrance of Terrance “Terry” Kennedy.

On Friday, January 17, 2025: In remembrance of Matthew Tenedorio.

On Monday, January 20, 2025: In remembrance of Edward Pettifer.

On Tuesday, January 21, 2025: In remembrance of LaTasha Polk.

On Wednesday, January 22, 2025: In remembrance of Brandon Taylor.

On Thursday, January 23, 2025: In remembrance of Elliot Wilkinson.

Section 3: All political subdivisions, private entities, and educational institutions, including public, private, parochial, and post-secondary institutions, are encouraged to lower the flags of the United States and the State of Louisiana to half-staff during this period.

Section 4: This Order is effective upon signature and shall remain in effect until sunset, January 23, 2025, unless amended, modified, terminated, or rescinded by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 5th day of January 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#081

WHEREAS, the Honorable Judge Salvadore Thomas Mulé, a retired judge, humanitarian, and devout Catholic who served the people of Louisiana and United States for his entire adult life passed away on January 1, 2025 at the age of 92;

WHEREAS, he was born during the Great Depression to Sicilian immigrants, he learned the meaning of faith, family, and freedom. His parents, neighborhood grocers in the Tremé, instilled in him and his 10 siblings to work hard and always give to others;

WHEREAS, from the sacrifices of his parents and family, he was fortunate to attend St. Joseph Seminary from age 12 until his high school graduation in 1950. He then received his Bachelor’s degree in Church History from Notre Dame Seminary. Following his college graduation, he joined the United States Army, where he honorably served at the Southern European NATO Headquarters in Naples, Italy;

WHEREAS, upon his return to the States, he worked at Esso and Sears – saving his money to attend Loyola Law School. Although the days were long and the return bus rides home to New Orleans East late, he remained determined and received his law degree in 1962. Post graduation, he served in private practice in New Orleans;

WHEREAS, in 1976, he was elected an Orleans Parish Juvenile Court Judge, a position he was re-elected to twice and held for 24 years. During this tenure, he was instrumental in enacting the Louisiana Children’s Code – the organized compilation of all state laws affecting juveniles and juvenile delinquency. He was also the first juvenile judge in Louisiana to implement mediation – a practice essential in the rehabilitation of juveniles today. And, he proudly managed hundreds of adoption cases for families in New Orleans;

WHEREAS, in 1985, he started CASA (Court Appointed Special Advocates) in New Orleans, a program designed to advocate for abused and neglected children in foster care, which is now used throughout Louisiana;

WHEREAS, he used his celebrity to promote an end to underage drinking and driving under the influence while recording several TV commercials and radio spots for the aforementioned;

WHEREAS, upon his retirement in Orleans Parish, he was appointed by the Louisiana Supreme Court to serve as the Administrative Judge of the East Baton Rouge Parish Juvenile Court. Following his three-year service in Baton Rouge, he was appointed judge for the 21st Judicial District Court. While there, he heard all juvenile matters for Tangipahoa, Livingston, and St. Helena Parishes. Additionally, he served as a judge pro tempore in Jefferson and St. Tammany Parishes;

WHEREAS, he was recognized numerous times for his outstanding work to help change lives, particularly those of juveniles. In 1988, he was named Louisiana Judge of the Year by the Louisiana CASA Association. In 1990, he was elected and served as the president of the National Council of Juvenile and Family Court Judges. In 1994, he was awarded the National Judge of the Year by the National

CASA Association. And, in 2000, he was the recipient of the Judge Richard Ware Award from the Louisiana Children's Trust Fund;

WHEREAS, known for his selfless work on the behalf of underprivileged children, he was recruited by the late Fr. Harry Tompson, S.J. to serve as a charter member of the Jesuit Program for Living and Learning and to serve annually for Boys Hope/Girls Hope;

WHEREAS, he volunteered countless hours to Christ's work. A past president of the St. Thomas More Catholic Lawyers Association, he volunteered annually for the Red Mass. For 25 years, he served as the weekly radio and Christmas Eve Midnight Mass television commentator at the St. Louis Cathedral;

WHEREAS, with an interest in improving education, he was a school board member at St. James Major High and Holy Name of Jesus Elementary. He taught CCD classes at Resurrection Church and was a volunteer Latin tutor for high school students. For three years, he was a volunteer adjunct professor of Juvenile Law at Loyola Law School. He was a supporter of Jesuit High School, St. Joseph Abbey, and Spring Hill College;

WHEREAS, he was the first lay president of the St. Joseph Seminary College Alumni Association and was the college's Alumnus of the Year recipient in 2010;

WHEREAS, he was a leader in the campaign for Capital Improvements for the Sisters Servants of Mary – a religious order who nurse the terminally ill throughout Greater New Orleans. He also volunteered with the St. Vincent de Paul Society, Louisiana Right to Life, and Habitat for Humanity. He was a regular attendee and avid supporter for decades of the Manresa House of Retreats;

WHEREAS, he was preceded in death by his beloved wife Margaret Mary Falcon Mulé. He is survived by his three sons Thomas (Theresa), Michael (Merriweather), and Millard (Sarah); his six grandchildren Rosalie, Camille,

Salvadore, Maximilian, Gabriel, and Isabella; his sister Margaret Ann Mulé; his nephews Harold (Diane) Baur II, Gabriel (Barbara) Mulé, and Raphael (Suzette) Mulé; his nieces Catharine Pardo and Mary Angela Rudh; his godchildren Evangeline Vavrick, Harold Baur III, and Mark Baur; and numerous other loving family members and friends;

WHEREAS, he will be remembered for his exemplary legacy of service and dedication to the legal community, the judiciary, his friends, and his family; and Louisiana owes a debt of gratitude to his many outstanding contributions to our state.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: As an expression of respect and to honor Judge Salvadore Thomas Mulé, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings from sunrise until sunset on January 11, 2025.

Section 2: This Order is effective upon signature and shall remain in effect until sunset, January 11, 2025.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 7th day of January 2025.

Jeff Landry
Governor

ATTEST BY
THE GOVERNOR
Nancy Landry
Secretary of State
2501#082

Emergency Rules

DECLARATION OF EMERGENCY

**Office of the Governor
Division of Administration
Office of the Commissioner
and
Department of Public Safety and Corrections
Public Safety Services**

Louisiana State Police Video Public Records Requests
(LAC 55:I.903)

In accordance with the emergency provisions of R.S. 49:962(A)(1), Department of Public Safety and Corrections, Public Safety Services hereby recognizes exigent circumstances requiring utilization of the emergency process for implementation of the attached Rule relative to State Police video public records. Statistical analyses show a projected increase of public records requests for body-worn camera (BWC) and in-car camera (ICC) video footage. Public Safety Services operating costs increase parallel with the linear trend of increased BWC/ICC requests. Setting a fee schedule for providing electronic records and video footage is justifiable based on the costs to the agency, both now and in the future. Louisiana courts recognize the evolution of technology and a contemporarily developing body of law. *Johnson v. Pineville*, 08-1234, (La. App. 3 Cir. 4/8/09), 9 So.3d 313. In accordance with the provisions of R.S. 49:962, R.S. 39:241, and R.S. 44:32, the Division of Administration, Office of the Commissioner hereby adopts §903 as a supplement to the Uniform Fee Schedule to provide for state police video public records.

This Emergency Rule was originally promulgated on July 18, 2024. The Legislative Fiscal Office did a thorough analysis of the Rule and on November 6, 2024, approved the Fiscal and Economic Impact Statement. The Rule was submitted to the Oversight Committee on November 25, 2024.

In accordance with the provisions of R.S. 49:962, R.S. 39:241, and R.S. 44:32, the Division of Administration, Office of the Commissioner hereby adopts §903 as a supplement to the Uniform Fee Schedule to provide for State Police video public records.

This Emergency Rule shall have the force and effect of law on December 31, 2024, and will remain in effect for 180 days, until permanent rules are promulgated in accordance with law.

Title 55

PUBLIC SAFETY

Part I. State Police

Chapter 9. Photographs and Videos

§903. Videos Related to Louisiana State Police Public Records Requests

A. Copies of Louisiana State Police video public records furnished to a person so requesting shall be provided at fees according to the following schedule:

1. \$10 per video less than or equal to 20 minutes in length;
2. \$0.50 per minute for videos longer than 20 minutes in length.
3. For purposes of this section, “minute” includes one full minute, and no charge shall be given based on rounding up any additional seconds between full minute increments.

B. The fee for production of such videos shall be provided to the requester by Louisiana State Police in advance of production.

C. This schedule does not apply to copies of Louisiana State Police video public records requested from another state agency.

D. For the purposes of this part, Louisiana State Police video public records include but are not limited to: body-worn camera footage retained by Louisiana State Police regardless of law enforcement agency, in-car dash camera video retained by Louisiana State Police regardless of law enforcement agency, and third party videos, including security video, retained by Louisiana State Police.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:241, R.S. 44:32, and R.S. 36:406.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services and Office of the Governor, Division of Administration, Office of the Commissioner, LR 51:

Jason Hessick
Assistant Secretary

2501#009

DECLARATION OF EMERGENCY

**Department of Health
Bureau of Health Services Financing**

Intermediate Care Facilities for Persons
with Intellectual Disabilities
Rate Determination (LAC 50:VII.32903)

The Department of Health, Bureau of Health Services Financing amends LAC 50:VII.32903 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:962 and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

Private Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICFs/IID) receive a reimbursement rate based on utilization and resident acuity. These rates are calculated using cost components appropriate for an economic and efficient ICFs/IID providing quality service. The resident per diem rates represent the best judgment of the state to provide reasonable and adequate reimbursement required to cover the costs of economic and efficient operation of ICFs/IID.

The existing provision allowed private ICFs/IID that downsized from over 100 beds to less than 35 beds prior to December 31, 2010, without the benefit of a cooperative endeavor agreement (CEA) or transitional rate and that incurred excessive capital costs, to have their per diem rates (excluding provider fees) increased by a percent equal to the percent difference of per diem rates (excluding provider fees and dental pass through). The applicable differential was set to expire on December 31, 2024. This rule change eliminates the expiration date, allowing more time to address the needs of private ICFs/IID that still rely on this variance, while continuing to provide services to the residents of these facilities.

This action is being taken to avoid imminent peril to public health, safety or welfare. Effective December 30, 2024, the Department of Health, Bureau of Health Services Financing amends the provisions governing ICFs/IID in order to extend increased per diem rates for qualifying facilities.

TITLE 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part VII. Long Term Care
Subpart 3. Intermediate Care Facilities for Persons with Intellectual Disabilities
Chapter 329. Reimbursement Methodology
§32903. Rate Determination

A. - M. ...

N. Effective for dates of service on or after July 1, 2020, private ICFs/IID that downsized from over 100 beds to less than 35 beds prior to December 31, 2010, without the benefit of a cooperative endeavor agreement (CEA) or transitional rate and who incurred excessive capital costs, shall have their per diem rates (excluding provider fees) increased by a percent equal to the percent difference of per diem rates (excluding provider fees and dental pass through) they were paid as of June 30, 2019. See chart below with the applicable percentages:

	Intermittent	Limited	Extensive	Pervasive
1-8 beds	6.2 percent	6.2 percent	6.2 percent	6.1 percent
9-15 beds	3.2 percent	6.2 percent	6.2 percent	6.1 percent
16-32 beds	N/A	N/A	N/A	N/A
33+ beds	N/A	N/A	N/A	N/A

1. The applicable differential shall be applied anytime there is a change to the per diem rates.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 31:2253 (September 2005), amended LR 33:462 (March 2007), LR 33:2202 (October 2007), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 36:1555 (July 2010), LR 37:3028 (October 2011), LR 39:1780 (July 2013), LR 39:2766 (October 2013), LR 41:539 (March 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 47:370 (March 2021), LR 49:687 (April 2023), LR 51:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Kimberly Sullivan, JD., Bureau of Health Services Financing, is responsible for responding to inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Michael Harrington, MBA, MA
Secretary

2501#007

DECLARATION OF EMERGENCY

Department of Revenue
Tax and Policy Planning Division

Electronic Filing and Payment Requirement for Dealers
Providing Telecommunications, Cable Television,
Direct-to-Home Satellite, Video Programming and Satellite
Digital Audio Radio Services
(LAC 61:III.1551 and 1552)

In accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:962(A)(1)(e), and pursuant to the authority set forth in R.S. 47:1511, 47:1519, and 47:1520, the secretary of the Department of Revenue declares that an emergency exists and adopts by emergency process the attached Rule to require electronic filing and payment of Louisiana sales and use tax by dealers of telecommunications services, cable television services, direct-to-home satellite services, video programming services, and satellite digital audio radio services. This action is deemed necessary to effectively administer certain sales and use taxes enacted by Act 11 of the 2024 Third Extraordinary Session of the Louisiana Legislature. Act 11 levies an additional state sales and use tax upon all telecommunications services, cable television services, direct-to-home satellite services, video programming services, and satellite digital audio radio services in Louisiana at the rate of 5 percent of the amounts paid or charged for those services. This additional state sales tax is dedicated to the Local Revenue Fund. The Department of Revenue is requiring electronic filing and payment to properly account for the dedicated collections.

R.S. 47:1519(B)(1) authorizes the secretary to require payments by electronic funds transfer, and R.S. 47:1520(A)(2) grants the secretary the discretion to require electronic filing of tax returns or reports by administrative rule promulgated with legislative oversight in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. R.S. 47:1520(A)(1)(d) also allows the secretary to require electronic filing when the report is required for dedicated fund distribution. The purpose of this regulation is to require dealers to electronically file all state sales tax returns and electronically submit all related sales and use tax payments. This Emergency Rule is written in plain language in an effort to increase transparency.

This Emergency Rule shall have the force and effect of law on January 1, 2025, and will remain in effect 180 days, unless renewed by the secretary of the Department of Revenue, or until permanent rules are promulgated in accordance with law.

Title 61

REVENUE AND TAXATION

Part III. Administrative and Miscellaneous Provisions

Chapter 15. Mandatory Electronic Filing of Tax Returns and Payment for Dealers Providing Telecommunications Services, Cable Television Services, Direct-To-Home Satellite Services, Video Programming Services and Satellite Digital Audio Radio Services

§1551. Telecommunications, Cable and Satellite Dealers—Electronic Filing Requirements

A. For tax periods beginning on or after January 1, 2025, dealers providing telecommunications services, cable television services, direct-to-home satellite services, video programming services, and satellite digital audio radio services as described in R.S. 47:301.1(F)(2) and R.S. 47:301.3(10)(a)(iii) (collectively referred to herein as “dealers”) shall be required to file Louisiana sales and use tax returns electronically.

B. Dealers may not file paper versions of the Louisiana sales and use tax return.

C. 1. Failure to comply with the electronic filing requirement of this section will result in the assessment of a penalty as provided for in R.S. 47:1520(B).

2. Waiver of the penalty provided for in paragraph 1 of this subsection shall only be allowed as provided for in R.S. 47:1520(B).

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 47:1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, LR 51:

§1552. Telecommunications, Cable and Satellite Dealers—Electronic Payment Required

A. R.S. 47:1519(B)(1) allows the secretary to require dealers to pay sales and use tax by electronic funds transfer.

B. Effective for all taxable periods beginning on or after January 1, 2025, all sales and use tax payments by any dealer providing telecommunications services, cable television services, direct-to-home satellite services, video programming services and satellite digital audio radio services as described in R.S. 47:301.1(F)(2) and R.S. 47:301.3(10)(a)(iii) shall be electronically transferred to the department on or before the twentieth day following the close of the reporting period using the electronic format provided.

C. For purposes of this Rule, specific requirements relating to the procedures for making payments by electronic funds transfer are set forth in R.S. 47:1519 and LAC 61.I.4910(E).

D. Failure to comply with the electronic funds transfer requirements shall result in the tax payment being considered delinquent and subject to penalties and interest as provided under R.S. 47:1601 and 1602.

E. If the dealer has made a good faith attempt and exercises due diligence in initiating a payment under the provisions of R.S. 47:1519, this Rule, and LAC 61.I.4910 (E), but because of unexpected problems arising at financial institutions, Federal Reserve facilities, the automated clearinghouse system, or state agencies, the payment is not timely received, the delinquent penalty may be waived as provided by R.S. 47:1603. Before a waiver will be

considered, the dealer must furnish the department with documentation proving that due diligence was exercised and that the delay was clearly beyond their control.

F. In any case where the dealer can prove payment by electronic funds transfer would create an undue hardship, the secretary may exempt the taxpayer from the requirement to transmit funds electronically.

G. The tax returns must be filed electronically; separately from the electronic transmission of the remittance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 47:1519.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax and Policy Planning Division LR 51:

Luke Morris
Assistant Secretary

2501#008

DECLARATION OF EMERGENCY

**Department of Revenue
Tax Policy and Planning Division**

**Income Tax Withholding Tables
(LAC 61:I.1501)**

In accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:962(A)(1), which allows the Department of Revenue, Tax Policy and Planning Division to use emergency procedures to establish rules, and R.S. 47:1511, which allows the department to make reasonable rules and regulations, the secretary hereby amends LAC 61:I.1501 relative to individual income tax withholding tables and formulas.

This Emergency Rule is necessary to prevent undue delay in notifying employers of the updated withholding requirements so as to ensure that employers are in compliance with the updated requirements, thereby avoiding unnecessary penalties for employers and incorrect withholding of income tax for taxpayers. Employers should begin using the 2025 withholding tables for the first payment of wages made after December 31, 2024.

This Emergency Rule is necessary to allow the secretary to effectively administer the updated withholding tables due to the new flat three percent individual income tax rate and the time constraints related to the legislative passage of Act 11 of the 2024 Third Extraordinary Session of the Louisiana Legislature, which has an effective date of January 1, 2025. Act 11 amended R.S. 47:32 to repeal the graduated rates and brackets for individuals in favor of a flat 3 percent tax rate applicable to all taxable income for tax years beginning on or after January 1, 2025. This Emergency Rule shall be effective January 1, 2025, and shall remain in effect for 180 days, unless renewed or revoked, or until the adoption of the final Rule, whichever comes first.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 15. Income: Withholding Tax

§1501. Income Tax Withholding Tables

A. - B.1. ...

2. With the use of the information obtained from Form R-1300(L-4), *Employee's Withholding Exemption Certificate*, determine which column of the tables to use.

a. If your employee does not claim a standard deduction, use the column in the table designated 0.

b. If your employee utilizes the filing status of Single Individual or Married-Separate the column in the table designated 1.

c. If your employee utilizes the filing status of Married-Joint, Qualified Surviving Spouse, or Head of Household, use the column in the table designated 2.

C. Withholding Tax Tables

1. For the purposes of the withholding tax tables:

a. Filers utilizing a filing status of Single Individual or Married-Separate are allowed a standard deduction in the amount of \$12,500.00;

b. Filers utilizing a filing status of Married-Joint, Qualified Surviving Spouse, or Head of Household are allowed a standard deduction in an amount equal to 200 percent of the dollar amount provided for single individuals.

2. Withholding Tables-Effective on or after January 1, 2025:

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	10.00	0.15	0.00	0.00
10.01	12.00	0.34	0.00	0.00
12.01	14.00	0.40	0.00	0.00
14.01	16.00	0.46	0.00	0.00
16.01	18.00	0.53	0.00	0.00
18.01	20.00	0.59	0.00	0.00
20.01	22.00	0.65	0.00	0.00
22.01	24.00	0.71	0.00	0.00
24.01	26.00	0.77	0.00	0.00
26.01	28.00	0.83	0.00	0.00
28.01	30.00	0.90	0.00	0.00
30.01	32.00	0.96	0.00	0.00
32.01	34.00	1.02	0.00	0.00
34.01	36.00	1.08	0.00	0.00
36.01	38.00	1.14	0.00	0.00
38.01	40.00	1.21	0.00	0.00
40.01	42.00	1.27	0.00	0.00
42.01	44.00	1.33	0.00	0.00
44.01	46.00	1.39	0.00	0.00
46.01	48.00	1.45	0.00	0.00
48.01	50.00	1.51	0.03	0.00
50.01	52.00	1.58	0.09	0.00
52.01	54.00	1.64	0.15	0.00
54.01	56.00	1.70	0.21	0.00
56.01	58.00	1.76	0.28	0.00
58.01	60.00	1.82	0.34	0.00
60.01	62.00	1.88	0.40	0.00
62.01	64.00	1.95	0.46	0.00
64.01	66.00	2.01	0.52	0.00
66.01	68.00	2.07	0.58	0.00
68.01	70.00	2.13	0.65	0.00
70.01	72.00	2.19	0.71	0.00
72.01	74.00	2.26	0.77	0.00
74.01	76.00	2.32	0.83	0.00
76.01	78.00	2.38	0.89	0.00
78.01	80.00	2.44	0.96	0.00
80.01	82.00	2.50	1.02	0.00
82.01	84.00	2.56	1.08	0.00
84.01	86.00	2.63	1.14	0.00

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
86.01	88.00	2.69	1.20	0.00
88.01	90.00	2.75	1.26	0.00
90.01	92.00	2.81	1.33	0.00
92.01	94.00	2.87	1.39	0.00
94.01	96.00	2.94	1.45	0.00
96.01	98.00	3.00	1.51	0.03
98.01	100.00	3.06	1.57	0.09
100.01	102.00	3.12	1.64	0.15
102.01	104.00	3.18	1.70	0.21
104.01	106.00	3.24	1.76	0.27
106.01	108.00	3.31	1.82	0.34
108.01	110.00	3.37	1.88	0.40
110.01	112.00	3.43	1.94	0.46
112.01	114.00	3.49	2.01	0.52
114.01	116.00	3.55	2.07	0.58
116.01	118.00	3.62	2.13	0.64
118.01	120.00	3.68	2.19	0.71
120.01	122.00	3.74	2.25	0.77
122.01	124.00	3.80	2.32	0.83
124.01	126.00	3.86	2.38	0.89
126.01	128.00	3.92	2.44	0.95
128.01	130.00	3.99	2.50	1.01
130.01	132.00	4.05	2.56	1.08
132.01	134.00	4.11	2.62	1.14
134.01	136.00	4.17	2.69	1.20
136.01	138.00	4.23	2.75	1.26
138.01	140.00	4.30	2.81	1.32
140.01	142.00	4.36	2.87	1.39
142.01	144.00	4.42	2.93	1.45
144.01	146.00	4.48	2.99	1.51
146.01	148.00	4.54	3.06	1.57
148.01	150.00	4.60	3.12	1.63
150.01	152.00	4.67	3.18	1.69
152.01	154.00	4.73	3.24	1.76
154.01	156.00	4.79	3.30	1.82
156.01	158.00	4.85	3.37	1.88
158.01	160.00	4.91	3.43	1.94
160.01	162.00	4.97	3.49	2.00
162.01	164.00	5.04	3.55	2.07

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
164.01	166.00	5.10	3.61	2.13
166.01	168.00	5.16	3.67	2.19
168.01	170.00	5.22	3.74	2.25
170.01	172.00	5.28	3.80	2.31
172.01	174.00	5.35	3.86	2.37
174.01	176.00	5.41	3.92	2.44
176.01	178.00	5.47	3.98	2.50
178.01	180.00	5.53	4.05	2.56
180.01	182.00	5.59	4.11	2.62
182.01	184.00	5.65	4.17	2.68
184.01	186.00	5.72	4.23	2.75
186.01	188.00	5.78	4.29	2.81
188.01	190.00	5.84	4.35	2.87
190.01	192.00	5.90	4.42	2.93
192.01	194.00	5.96	4.48	2.99
194.01	196.00	6.03	4.54	3.05
196.01	198.00	6.09	4.60	3.12
198.01	200.00	6.15	4.66	3.18
200.01	202.00	6.21	4.73	3.24
202.01	204.00	6.27	4.79	3.30
204.01	206.00	6.33	4.85	3.36
206.01	208.00	6.40	4.91	3.43
208.01	210.00	6.46	4.97	3.49
210.01	212.00	6.52	5.03	3.55
212.01	214.00	6.58	5.10	3.61
214.01	216.00	6.64	5.16	3.67
216.01	218.00	6.71	5.22	3.73
218.01	220.00	6.77	5.28	3.80
220.01	222.00	6.83	5.34	3.86
222.01	224.00	6.89	5.41	3.92
224.01	226.00	6.95	5.47	3.98
226.01	228.00	7.01	5.53	4.04
228.01	230.00	7.08	5.59	4.10
230.01	232.00	7.14	5.65	4.17
232.01	234.00	7.20	5.71	4.23
234.01	236.00	7.26	5.78	4.29
236.01	238.00	7.32	5.84	4.35
238.01	240.00	7.39	5.90	4.41
240.01	242.00	7.45	5.96	4.48
242.01	244.00	7.51	6.02	4.54
244.01	246.00	7.57	6.08	4.60
246.01	248.00	7.63	6.15	4.66
248.01	250.00	7.69	6.21	4.72
250.01	252.00	7.76	6.27	4.78
252.01	254.00	7.82	6.33	4.85
254.01	256.00	7.88	6.39	4.91
256.01	258.00	7.94	6.46	4.97
258.01	260.00	8.00	6.52	5.03
260.01	262.00	8.06	6.58	5.09
262.01	264.00	8.13	6.64	5.16

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
264.01	266.00	8.19	6.70	5.22
266.01	268.00	8.25	6.76	5.28
268.01	270.00	8.31	6.83	5.34
270.01	272.00	8.37	6.89	5.40
272.01	274.00	8.44	6.95	5.46
274.01	276.00	8.50	7.01	5.53
276.01	278.00	8.56	7.07	5.59
278.01	280.00	8.62	7.14	5.65
280.01	282.00	8.68	7.20	5.71
282.01	284.00	8.74	7.26	5.77
284.01	286.00	8.81	7.32	5.84
286.01	288.00	8.87	7.38	5.90
288.01	290.00	8.93	7.44	5.96
290.01	292.00	8.99	7.51	6.02
292.01	294.00	9.05	7.57	6.08
294.01	296.00	9.12	7.63	6.14
296.01	298.00	9.18	7.69	6.21
298.01	300.00	9.24	7.75	6.27
300.01	302.00	9.30	7.82	6.33
302.01	304.00	9.36	7.88	6.39
304.01	306.00	9.42	7.94	6.45
306.01	308.00	9.49	8.00	6.52
308.01	310.00	9.55	8.06	6.58
310.01	312.00	9.61	8.12	6.64
312.01	314.00	9.67	8.19	6.70
314.01	316.00	9.73	8.25	6.76
316.01	318.00	9.80	8.31	6.82
318.01	320.00	9.86	8.37	6.89
320.01	322.00	9.92	8.43	6.95
322.01	324.00	9.98	8.50	7.01
324.01	326.00	10.04	8.56	7.07
326.01	328.00	10.10	8.62	7.13
328.01	330.00	10.17	8.68	7.19
330.01	332.00	10.23	8.74	7.26
332.01	334.00	10.29	8.80	7.32
334.01	336.00	10.35	8.87	7.38
336.01	338.00	10.41	8.93	7.44
338.01	340.00	10.48	8.99	7.50
340.01	342.00	10.54	9.05	7.57
342.01	344.00	10.60	9.11	7.63
344.01	346.00	10.66	9.17	7.69
346.01	348.00	10.72	9.24	7.75
348.01	350.00	10.78	9.30	7.81
350.01	352.00	10.85	9.36	7.87
352.01	354.00	10.91	9.42	7.94
354.01	356.00	10.97	9.48	8.00
356.01	358.00	11.03	9.55	8.06
358.01	360.00	11.09	9.61	8.12
360.01	362.00	11.15	9.67	8.18
362.01	364.00	11.22	9.73	8.25

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
364.01	366.00	11.28	9.79	8.31
366.01	368.00	11.34	9.85	8.37
368.01	370.00	11.40	9.92	8.43
370.01	372.00	11.46	9.98	8.49
372.01	374.00	11.53	10.04	8.55
374.01	376.00	11.59	10.10	8.62
376.01	378.00	11.65	10.16	8.68
378.01	380.00	11.71	10.23	8.74
380.01	382.00	11.77	10.29	8.80
382.01	384.00	11.83	10.35	8.86
384.01	386.00	11.90	10.41	8.93
		<i>(Add 3.09% for amounts in excess of \$386)</i>		

Weekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
690.01	710.00	21.63	14.20	6.77
710.01	730.00	22.25	14.82	7.39
730.01	750.00	22.87	15.44	8.01
750.01	770.00	23.48	16.06	8.63
770.01	790.00	24.10	16.67	9.25
790.01	810.00	24.72	17.29	9.86
810.01	830.00	25.34	17.91	10.48
830.01	850.00	25.96	18.53	11.10
850.01	870.00	26.57	19.15	11.72
870.01	890.00	27.19	19.76	12.34
890.01	910.00	27.81	20.38	12.95
910.01	930.00	28.43	21.00	13.57
930.01	950.00	29.05	21.62	14.19
950.01	970.00	29.66	22.24	14.81
970.01	990.00	30.28	22.85	15.43
990.01	1,010.00	30.90	23.47	16.04
1,010.01	1,030.00	31.52	24.09	16.66
1,030.01	1,050.00	32.14	24.71	17.28
1,050.01	1,070.00	32.75	25.33	17.90
1,070.01	1,090.00	33.37	25.94	18.52
1,090.01	1,110.00	33.99	26.56	19.13
1,110.01	1,130.00	34.61	27.18	19.75
1,130.01	1,150.00	35.23	27.80	20.37
1,150.01	1,170.00	35.84	28.42	20.99
1,170.01	1,190.00	36.46	29.03	21.61
1,190.01	1,210.00	37.08	29.65	22.22
1,210.01	1,230.00	37.70	30.27	22.84
1,230.01	1,250.00	38.32	30.89	23.46
1,250.01	1,270.00	38.93	31.51	24.08
1,270.01	1,290.00	39.55	32.12	24.70
1,290.01	1,310.00	40.17	32.74	25.31
1,310.01	1,330.00	40.79	33.36	25.93
1,330.01	1,350.00	41.41	33.98	26.55
1,350.01	1,370.00	42.02	34.60	27.17
1,370.01	1,390.00	42.64	35.21	27.79
1,390.01	1,410.00	43.26	35.83	28.40
1,410.01	1,430.00	43.88	36.45	29.02
1,430.01	1,450.00	44.50	37.07	29.64
1,450.01	1,470.00	45.11	37.69	30.26
1,470.01	1,490.00	45.73	38.30	30.88
1,490.01	1,510.00	46.35	38.92	31.49
1,510.01	1,530.00	46.97	39.54	32.11
1,530.01	1,550.00	47.59	40.16	32.73
1,550.01	1,570.00	48.20	40.78	33.35
1,570.01	1,590.00	48.82	41.39	33.97
1,590.01	1,610.00	49.44	42.01	34.58
1,610.01	1,630.00	50.06	42.63	35.20
1,630.01	1,650.00	50.68	43.25	35.82
1,650.01	1,670.00	51.29	43.87	36.44
1,670.01	1,690.00	51.91	44.48	37.06
1,690.01	1,710.00	52.53	45.10	37.67

Weekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	50.00	0.77	0.00	0.00
50.01	70.00	1.85	0.00	0.00
70.01	90.00	2.47	0.00	0.00
90.01	110.00	3.09	0.00	0.00
110.01	130.00	3.71	0.00	0.00
130.01	150.00	4.33	0.00	0.00
150.01	170.00	4.94	0.00	0.00
170.01	190.00	5.56	0.00	0.00
190.01	210.00	6.18	0.00	0.00
210.01	230.00	6.80	0.00	0.00
230.01	250.00	7.42	0.00	0.00
250.01	270.00	8.03	0.61	0.00
270.01	290.00	8.65	1.22	0.00
290.01	310.00	9.27	1.84	0.00
310.01	330.00	9.89	2.46	0.00
330.01	350.00	10.51	3.08	0.00
350.01	370.00	11.12	3.70	0.00
370.01	390.00	11.74	4.31	0.00
390.01	410.00	12.36	4.93	0.00
410.01	430.00	12.98	5.55	0.00
430.01	450.00	13.60	6.17	0.00
450.01	470.00	14.21	6.79	0.00
470.01	490.00	14.83	7.40	0.00
490.01	510.00	15.45	8.02	0.59
510.01	530.00	16.07	8.64	1.21
530.01	550.00	16.69	9.26	1.83
550.01	570.00	17.30	9.88	2.45
570.01	590.00	17.92	10.49	3.07
590.01	610.00	18.54	11.11	3.68
610.01	630.00	19.16	11.73	4.30
630.01	650.00	19.78	12.35	4.92
650.01	670.00	20.39	12.97	5.54
670.01	690.00	21.01	13.58	6.16

Weekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
1,710.01	1,730.00	53.15	45.72	38.29
1,730.01	1,750.00	53.77	46.34	38.91
1,750.01	1,770.00	54.38	46.96	39.53
1,770.01	1,790.00	55.00	47.57	40.15
1,790.01	1,810.00	55.62	48.19	40.76
1,810.01	1,830.00	56.24	48.81	41.38
1,830.01	1,850.00	56.86	49.43	42.00
1,850.01	1,870.00	57.47	50.05	42.62
1,870.01	1,890.00	58.09	50.66	43.24
1,890.01	1,910.00	58.71	51.28	43.85
1,910.01	1,930.00	59.33	51.90	44.47
1,930.01	1,950.00	59.95	52.52	45.09
		<i>(Add 3.09% for amounts in excess of \$1,950)</i>		

Biweekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
1,340.01	1,380.00	42.02	27.17	12.31
1,380.01	1,420.00	43.26	28.40	13.55
1,420.01	1,460.00	44.50	29.64	14.78
1,460.01	1,500.00	45.73	30.88	16.02
1,500.01	1,540.00	46.97	32.11	17.26
1,540.01	1,580.00	48.20	33.35	18.49
1,580.01	1,620.00	49.44	34.58	19.73
1,620.01	1,660.00	50.68	35.82	20.96
1,660.01	1,700.00	51.91	37.06	22.20
1,700.01	1,740.00	53.15	38.29	23.44
1,740.01	1,780.00	54.38	39.53	24.67
1,780.01	1,820.00	55.62	40.76	25.91
1,820.01	1,860.00	56.86	42.00	27.14
1,860.01	1,900.00	58.09	43.24	28.38
1,900.01	1,940.00	59.33	44.47	29.62
1,940.01	1,980.00	60.56	45.71	30.85
1,980.01	2,020.00	61.80	46.94	32.09
2,020.01	2,060.00	63.04	48.18	33.32
2,060.01	2,100.00	64.27	49.42	34.56
2,100.01	2,140.00	65.51	50.65	35.80
2,140.01	2,180.00	66.74	51.89	37.03
2,180.01	2,220.00	67.98	53.12	38.27
2,220.01	2,260.00	69.22	54.36	39.50
2,260.01	2,300.00	70.45	55.60	40.74
2,300.01	2,340.00	71.69	56.83	41.98
2,340.01	2,380.00	72.92	58.07	43.21
2,380.01	2,420.00	74.16	59.30	44.45
2,420.01	2,460.00	75.40	60.54	45.68
2,460.01	2,500.00	76.63	61.78	46.92
2,500.01	2,540.00	77.87	63.01	48.16
2,540.01	2,580.00	79.10	64.25	49.39
2,580.01	2,620.00	80.34	65.48	50.63
2,620.01	2,660.00	81.58	66.72	51.86
2,660.01	2,700.00	82.81	67.96	53.10
2,700.01	2,740.00	84.05	69.19	54.34
2,740.01	2,780.00	85.28	70.43	55.57
2,780.01	2,820.00	86.52	71.66	56.81
2,820.01	2,860.00	87.76	72.90	58.04
2,860.01	2,900.00	88.99	74.14	59.28
2,900.01	2,940.00	90.23	75.37	60.52
2,940.01	2,980.00	91.46	76.61	61.75
2,980.01	3,020.00	92.70	77.84	62.99
3,020.01	3,060.00	93.94	79.08	64.22
3,060.01	3,100.00	95.17	80.32	65.46
3,100.01	3,140.00	96.41	81.55	66.70
3,140.01	3,180.00	97.64	82.79	67.93
3,180.01	3,220.00	98.88	84.02	69.17
3,220.01	3,260.00	100.12	85.26	70.40
3,260.01	3,300.00	101.35	86.50	71.64
3,300.01	3,340.00	102.59	87.73	72.88

Biweekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	100.00	1.55	0.00	0.00
100.01	140.00	3.71	0.00	0.00
140.01	180.00	4.94	0.00	0.00
180.01	220.00	6.18	0.00	0.00
220.01	260.00	7.42	0.00	0.00
260.01	300.00	8.65	0.00	0.00
300.01	340.00	9.89	0.00	0.00
340.01	380.00	11.12	0.00	0.00
380.01	420.00	12.36	0.00	0.00
420.01	460.00	13.60	0.00	0.00
460.01	500.00	14.83	0.00	0.00
500.01	540.00	16.07	1.21	0.00
540.01	580.00	17.30	2.45	0.00
580.01	620.00	18.54	3.68	0.00
620.01	660.00	19.78	4.92	0.00
660.01	700.00	21.01	6.16	0.00
700.01	740.00	22.25	7.39	0.00
740.01	780.00	23.48	8.63	0.00
780.01	820.00	24.72	9.86	0.00
820.01	860.00	25.96	11.10	0.00
860.01	900.00	27.19	12.34	0.00
900.01	940.00	28.43	13.57	0.00
940.01	980.00	29.66	14.81	0.00
980.01	1,020.00	30.90	16.04	1.19
1,020.01	1,060.00	32.14	17.28	2.42
1,060.01	1,100.00	33.37	18.52	3.66
1,100.01	1,140.00	34.61	19.75	4.90
1,140.01	1,180.00	35.84	20.99	6.13
1,180.01	1,220.00	37.08	22.22	7.37
1,220.01	1,260.00	38.32	23.46	8.60
1,260.01	1,300.00	39.55	24.70	9.84
1,300.01	1,340.00	40.79	25.93	11.08

Biweekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
3,340.01	3,380.00	103.82	88.97	74.11
3,380.01	3,420.00	105.06	90.20	75.35
3,420.01	3,460.00	106.30	91.44	76.58
3,460.01	3,500.00	107.53	92.68	77.82
3,500.01	3,540.00	108.77	93.91	79.06
3,540.01	3,580.00	110.00	95.15	80.29
3,580.01	3,620.00	111.24	96.38	81.53
3,620.01	3,660.00	112.48	97.62	82.76
3,660.01	3,700.00	113.71	98.86	84.00
3,700.01	3,740.00	114.95	100.09	85.24
3,740.01	3,780.00	116.18	101.33	86.47
3,780.01	3,820.00	117.42	102.56	87.71
3,820.01	3,860.00	118.66	103.80	88.94
3,860.01	3,900.00	119.89	105.04	90.18
		<i>(Add 3.09% for amounts in excess of \$3,900)</i>		

Semi-Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
1,260.01	1,300.00	39.55	23.46	7.36
1,300.01	1,340.00	40.79	24.69	8.60
1,340.01	1,380.00	42.02	25.93	9.84
1,380.01	1,420.00	43.26	27.17	11.07
1,420.01	1,460.00	44.50	28.40	12.31
1,460.01	1,500.00	45.73	29.64	13.54
1,500.01	1,540.00	46.97	30.87	14.78
1,540.01	1,580.00	48.20	32.11	16.02
1,580.01	1,620.00	49.44	33.35	17.25
1,620.01	1,660.00	50.68	34.58	18.49
1,660.01	1,700.00	51.91	35.82	19.72
1,700.01	1,740.00	53.15	37.05	20.96
1,740.01	1,780.00	54.38	38.29	22.20
1,780.01	1,820.00	55.62	39.53	23.43
1,820.01	1,860.00	56.86	40.76	24.67
1,860.01	1,900.00	58.09	42.00	25.90
1,900.01	1,940.00	59.33	43.23	27.14
1,940.01	1,980.00	60.56	44.47	28.38
1,980.01	2,020.00	61.80	45.71	29.61
2,020.01	2,060.00	63.04	46.94	30.85
2,060.01	2,100.00	64.27	48.18	32.08
2,100.01	2,140.00	65.51	49.41	33.32
2,140.01	2,180.00	66.74	50.65	34.56
2,180.01	2,220.00	67.98	51.89	35.79
2,220.01	2,260.00	69.22	53.12	37.03
2,260.01	2,300.00	70.45	54.36	38.26
2,300.01	2,340.00	71.69	55.59	39.50
2,340.01	2,380.00	72.92	56.83	40.74
2,380.01	2,420.00	74.16	58.07	41.97
2,420.01	2,460.00	75.40	59.30	43.21
2,460.01	2,500.00	76.63	60.54	44.44
2,500.01	2,540.00	77.87	61.77	45.68
2,540.01	2,580.00	79.10	63.01	46.92
2,580.01	2,620.00	80.34	64.25	48.15
2,620.01	2,660.00	81.58	65.48	49.39
2,660.01	2,700.00	82.81	66.72	50.62
2,700.01	2,740.00	84.05	67.95	51.86
2,740.01	2,780.00	85.28	69.19	53.10
2,780.01	2,820.00	86.52	70.43	54.33
2,820.01	2,860.00	87.76	71.66	55.57
2,860.01	2,900.00	88.99	72.90	56.80
2,900.01	2,940.00	90.23	74.13	58.04
2,940.01	2,980.00	91.46	75.37	59.28
2,980.01	3,020.00	92.70	76.61	60.51
3,020.01	3,060.00	93.94	77.84	61.75
3,060.01	3,100.00	95.17	79.08	62.98
3,100.01	3,140.00	96.41	80.31	64.22
3,140.01	3,180.00	97.64	81.55	65.46
3,180.01	3,220.00	98.88	82.79	66.69
3,220.01	3,260.00	100.12	84.02	67.93

Semi-Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	100.00	1.55	0.00	0.00
100.01	140.00	3.71	0.00	0.00
140.01	180.00	4.94	0.00	0.00
180.01	220.00	6.18	0.00	0.00
220.01	260.00	7.42	0.00	0.00
260.01	300.00	8.65	0.00	0.00
300.01	340.00	9.89	0.00	0.00
340.01	380.00	11.12	0.00	0.00
380.01	420.00	12.36	0.00	0.00
420.01	460.00	13.60	0.00	0.00
460.01	500.00	14.83	0.00	0.00
500.01	540.00	16.07	0.00	0.00
540.01	580.00	17.30	1.21	0.00
580.01	620.00	18.54	2.45	0.00
620.01	660.00	19.78	3.68	0.00
660.01	700.00	21.01	4.92	0.00
700.01	740.00	22.25	6.15	0.00
740.01	780.00	23.48	7.39	0.00
780.01	820.00	24.72	8.63	0.00
820.01	860.00	25.96	9.86	0.00
860.01	900.00	27.19	11.10	0.00
900.01	940.00	28.43	12.33	0.00
940.01	980.00	29.66	13.57	0.00
980.01	1,020.00	30.90	14.81	0.00
1,020.01	1,060.00	32.14	16.04	0.00
1,060.01	1,100.00	33.37	17.28	1.18
1,100.01	1,140.00	34.61	18.51	2.42
1,140.01	1,180.00	35.84	19.75	3.66
1,180.01	1,220.00	37.08	20.99	4.89
1,220.01	1,260.00	38.32	22.22	6.13

Semi-Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
3,260.01	3,300.00	101.35	85.26	69.16
3,300.01	3,340.00	102.59	86.49	70.40
3,340.01	3,380.00	103.82	87.73	71.64
3,380.01	3,420.00	105.06	88.97	72.87
3,420.01	3,460.00	106.30	90.20	74.11
3,460.01	3,500.00	107.53	91.44	75.34
3,500.01	3,540.00	108.77	92.67	76.58
3,540.01	3,580.00	110.00	93.91	77.82
3,580.01	3,620.00	111.24	95.15	79.05
3,620.01	3,660.00	112.48	96.38	80.29
3,660.01	3,700.00	113.71	97.62	81.52
3,700.01	3,740.00	114.95	98.85	82.76
3,740.01	3,780.00	116.18	100.09	84.00
3,780.01	3,820.00	117.42	101.33	85.23
3,820.01	3,860.00	118.66	102.56	86.47
3,860.01	3,900.00	119.89	103.80	87.70
3,900.01	3,940.00	121.13	105.03	88.94
3,940.01	3,980.00	122.36	106.27	90.18
3,980.01	4,020.00	123.60	107.51	91.41
4,020.01	4,060.00	124.84	108.74	92.65
4,060.01	4,100.00	126.07	109.98	93.88
4,100.01	4,140.00	127.31	111.21	95.12
4,140.01	4,180.00	128.54	112.45	96.36
4,180.01	4,220.00	129.78	113.69	97.59
<i>(Add 3.09% for amounts in excess of \$4,220)</i>				

Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	200.00	3.09	0.00	0.00
200.01	280.00	7.42	0.00	0.00
280.01	360.00	9.89	0.00	0.00
360.01	440.00	12.36	0.00	0.00
440.01	520.00	14.83	0.00	0.00
520.01	600.00	17.30	0.00	0.00
600.01	680.00	19.78	0.00	0.00
680.01	760.00	22.25	0.00	0.00
760.01	840.00	24.72	0.00	0.00
840.01	920.00	27.19	0.00	0.00
920.01	1,000.00	29.66	0.00	0.00
1,000.01	1,080.00	32.14	0.00	0.00
1,080.01	1,160.00	34.61	2.42	0.00
1,160.01	1,240.00	37.08	4.89	0.00
1,240.01	1,320.00	39.55	7.36	0.00
1,320.01	1,400.00	42.02	9.84	0.00
1,400.01	1,480.00	44.50	12.31	0.00
1,480.01	1,560.00	46.97	14.78	0.00
1,560.01	1,640.00	49.44	17.25	0.00
1,640.01	1,720.00	51.91	19.72	0.00

Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
1,720.01	1,800.00	54.38	22.20	0.00
1,800.01	1,880.00	56.86	24.67	0.00
1,880.01	1,960.00	59.33	27.14	0.00
1,960.01	2,040.00	61.80	29.61	0.00
2,040.01	2,120.00	64.27	32.08	0.00
2,120.01	2,200.00	66.74	34.56	2.37
2,200.01	2,280.00	69.22	37.03	4.84
2,280.01	2,360.00	71.69	39.50	7.31
2,360.01	2,440.00	74.16	41.97	9.78
2,440.01	2,520.00	76.63	44.44	12.26
2,520.01	2,600.00	79.10	46.92	14.73
2,600.01	2,680.00	81.58	49.39	17.20
2,680.01	2,760.00	84.05	51.86	19.67
2,760.01	2,840.00	86.52	54.33	22.15
2,840.01	2,920.00	88.99	56.80	24.62
2,920.01	3,000.00	91.46	59.28	27.09
3,000.01	3,080.00	93.94	61.75	29.56
3,080.01	3,160.00	96.41	64.22	32.03
3,160.01	3,240.00	98.88	66.69	34.51
3,240.01	3,320.00	101.35	69.16	36.98
3,320.01	3,400.00	103.82	71.64	39.45
3,400.01	3,480.00	106.30	74.11	41.92
3,480.01	3,560.00	108.77	76.58	44.39
3,560.01	3,640.00	111.24	79.05	46.87
3,640.01	3,720.00	113.71	81.52	49.34
3,720.01	3,800.00	116.18	84.00	51.81
3,800.01	3,880.00	118.66	86.47	54.28
3,880.01	3,960.00	121.13	88.94	56.75
3,960.01	4,040.00	123.60	91.41	59.23
4,040.01	4,120.00	126.07	93.88	61.70
4,120.01	4,200.00	128.54	96.36	64.17
4,200.01	4,280.00	131.02	98.83	66.64
4,280.01	4,360.00	133.49	101.30	69.11
4,360.01	4,440.00	135.96	103.77	71.59
4,440.01	4,520.00	138.43	106.24	74.06
4,520.01	4,600.00	140.90	108.72	76.53
4,600.01	4,680.00	143.38	111.19	79.00
4,680.01	4,760.00	145.85	113.66	81.47
4,760.01	4,840.00	148.32	116.13	83.95
4,840.01	4,920.00	150.79	118.60	86.42
4,920.01	5,000.00	153.26	121.08	88.89
5,000.01	5,080.00	155.74	123.55	91.36
5,080.01	5,160.00	158.21	126.02	93.83
5,160.01	5,240.00	160.68	128.49	96.31
5,240.01	5,320.00	163.15	130.96	98.78
5,320.01	5,400.00	165.62	133.44	101.25
5,400.01	5,480.00	168.10	135.91	103.72
5,480.01	5,560.00	170.57	138.38	106.19
5,560.01	5,640.00	173.04	140.85	108.67
5,640.01	5,720.00	175.51	143.32	111.14

Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
5,720.01	5,800.00	177.98	145.80	113.61
5,800.01	5,880.00	180.46	148.27	116.08
5,880.01	5,960.00	182.93	150.74	118.55
5,960.01	6,040.00	185.40	153.21	121.03
6,040.01	6,120.00	187.87	155.68	123.50
6,120.01	6,200.00	190.34	158.16	125.97
6,200.01	6,280.00	192.82	160.63	128.44
6,280.01	6,360.00	195.29	163.10	130.91
6,360.01	6,440.00	197.76	165.57	133.39
6,440.01	6,520.00	200.23	168.04	135.86
6,520.01	6,600.00	202.70	170.52	138.33
6,600.01	6,680.00	205.18	172.99	140.80
6,680.01	6,760.00	207.65	175.46	143.27
6,760.01	6,840.00	210.12	177.93	145.75
6,840.01	6,920.00	212.59	180.40	148.22
6,920.01	7,000.00	215.06	182.88	150.69
7,000.01	7,080.00	217.54	185.35	153.16
7,080.01	7,160.00	220.01	187.82	155.63
7,160.01	7,240.00	222.48	190.29	158.11
7,240.01	7,320.00	224.95	192.76	160.58
7,320.01	7,400.00	227.42	195.24	163.05
7,400.01	7,480.00	229.90	197.71	165.52
7,480.01	7,560.00	232.37	200.18	167.99
7,560.01	7,640.00	234.84	202.65	170.47
7,640.01	7,720.00	237.31	205.12	172.94
7,720.01	7,800.00	239.78	207.60	175.41
7,800.01	7,880.00	242.26	210.07	177.88
7,880.01	7,960.00	244.73	212.54	180.35
7,960.01	8,040.00	247.20	215.01	182.83
8,040.01	8,120.00	249.67	217.48	185.30
8,120.01	8,200.00	252.14	219.96	187.77
8,200.01	8,280.00	254.62	222.43	190.24
8,280.01	8,360.00	257.09	224.90	192.71
8,360.01	8,440.00	259.56	227.37	195.19
		<i>(Add 3.09% for amounts in excess of \$8,440)</i>		

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	2,500.00	38.63	0.00	0.00
2,500.01	2,900.00	83.43	0.00	0.00
2,900.01	3,300.00	95.79	0.00	0.00
3,300.01	3,700.00	108.15	0.00	0.00
3,700.01	4,100.00	120.51	0.00	0.00
4,100.01	4,500.00	132.87	0.00	0.00
4,500.01	4,900.00	145.23	0.00	0.00
4,900.01	5,300.00	157.59	0.00	0.00
5,300.01	5,700.00	169.95	0.00	0.00
5,700.01	6,100.00	182.31	0.00	0.00

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
6,100.01	6,500.00	194.67	0.00	0.00
6,500.01	6,900.00	207.03	0.00	0.00
6,900.01	7,300.00	219.39	0.00	0.00
7,300.01	7,700.00	231.75	0.00	0.00
7,700.01	8,100.00	244.11	0.00	0.00
8,100.01	8,500.00	256.47	0.00	0.00
8,500.01	8,900.00	268.83	0.00	0.00
8,900.01	9,300.00	281.19	0.00	0.00
9,300.01	9,700.00	293.55	0.00	0.00
9,700.01	10,100.00	305.91	0.00	0.00
10,100.01	10,500.00	318.27	0.00	0.00
10,500.01	10,900.00	330.63	0.00	0.00
10,900.01	11,300.00	342.99	0.00	0.00
11,300.01	11,700.00	355.35	0.00	0.00
11,700.01	12,100.00	367.71	0.00	0.00
12,100.01	12,500.00	380.07	0.00	0.00
12,500.01	12,900.00	392.43	6.18	0.00
12,900.01	13,300.00	404.79	18.54	0.00
13,300.01	13,700.00	417.15	30.90	0.00
13,700.01	14,100.00	429.51	43.26	0.00
14,100.01	14,500.00	441.87	55.62	0.00
14,500.01	14,900.00	454.23	67.98	0.00
14,900.01	15,300.00	466.59	80.34	0.00
15,300.01	15,700.00	478.95	92.70	0.00
15,700.01	16,100.00	491.31	105.06	0.00
16,100.01	16,500.00	503.67	117.42	0.00
16,500.01	16,900.00	516.03	129.78	0.00
16,900.01	17,300.00	528.39	142.14	0.00
17,300.01	17,700.00	540.75	154.50	0.00
17,700.01	18,100.00	553.11	166.86	0.00
18,100.01	18,500.00	565.47	179.22	0.00
18,500.01	18,900.00	577.83	191.58	0.00
18,900.01	19,300.00	590.19	203.94	0.00
19,300.01	19,700.00	602.55	216.30	0.00
19,700.01	20,100.00	614.91	228.66	0.00
20,100.01	20,500.00	627.27	241.02	0.00
20,500.01	20,900.00	639.63	253.38	0.00
20,900.01	21,300.00	651.99	265.74	0.00
21,300.01	21,700.00	664.35	278.10	0.00
21,700.01	22,100.00	676.71	290.46	0.00
22,100.01	22,500.00	689.07	302.82	0.00
22,500.01	22,900.00	701.43	315.18	0.00
22,900.01	23,300.00	713.79	327.54	0.00
23,300.01	23,700.00	726.15	339.90	0.00
23,700.01	24,100.00	738.51	352.26	0.00
24,100.01	24,500.00	750.87	364.62	0.00
24,500.01	24,900.00	763.23	376.98	0.00
24,900.01	25,300.00	775.59	389.34	3.09
25,300.01	25,700.00	787.95	401.70	15.45
25,700.01	26,100.00	800.31	414.06	27.81

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
26,100.01	26,500.00	812.67	426.42	40.17
26,500.01	26,900.00	825.03	438.78	52.53
26,900.01	27,300.00	837.39	451.14	64.89
27,300.01	27,700.00	849.75	463.50	77.25
27,700.01	28,100.00	862.11	475.86	89.61
28,100.01	28,500.00	874.47	488.22	101.97
28,500.01	28,900.00	886.83	500.58	114.33
28,900.01	29,300.00	899.19	512.94	126.69
29,300.01	29,700.00	911.55	525.30	139.05
29,700.01	30,100.00	923.91	537.66	151.41
30,100.01	30,500.00	936.27	550.02	163.77
30,500.01	30,900.00	948.63	562.38	176.13
30,900.01	31,300.00	960.99	574.74	188.49
31,300.01	31,700.00	973.35	587.10	200.85
31,700.01	32,100.00	985.71	599.46	213.21
32,100.01	32,500.00	998.07	611.82	225.57
32,500.01	32,900.00	1,010.43	624.18	237.93
32,900.01	33,300.00	1,022.79	636.54	250.29
33,300.01	33,700.00	1,035.15	648.90	262.65
33,700.01	34,100.00	1,047.51	661.26	275.01
34,100.01	34,500.00	1,059.87	673.62	287.37
34,500.01	34,900.00	1,072.23	685.98	299.73
34,900.01	35,300.00	1,084.59	698.34	312.09
35,300.01	35,700.00	1,096.95	710.70	324.45
35,700.01	36,100.00	1,109.31	723.06	336.81
36,100.01	36,500.00	1,121.67	735.42	349.17
36,500.01	36,900.00	1,134.03	747.78	361.53
36,900.01	37,300.00	1,146.39	760.14	373.89
37,300.01	37,700.00	1,158.75	772.50	386.25
37,700.01	38,100.00	1,171.11	784.86	398.61
38,100.01	38,500.00	1,183.47	797.22	410.97
38,500.01	38,900.00	1,195.83	809.58	423.33
38,900.01	39,300.00	1,208.19	821.94	435.69
39,300.01	39,700.00	1,220.55	834.30	448.05
39,700.01	40,100.00	1,232.91	846.66	460.41
40,100.01	40,500.00	1,245.27	859.02	472.77
40,500.01	40,900.00	1,257.63	871.38	485.13
40,900.01	41,300.00	1,269.99	883.74	497.49
41,300.01	41,700.00	1,282.35	896.10	509.85
41,700.01	42,100.00	1,294.71	908.46	522.21
42,100.01	42,500.00	1,307.07	920.82	534.57
42,500.01	42,900.00	1,319.43	933.18	546.93
42,900.01	43,300.00	1,331.79	945.54	559.29
43,300.01	43,700.00	1,344.15	957.90	571.65
43,700.01	44,100.00	1,356.51	970.26	584.01
44,100.01	44,500.00	1,368.87	982.62	596.37
44,500.01	44,900.00	1,381.23	994.98	608.73
44,900.01	45,300.00	1,393.59	1,007.34	621.09
45,300.01	45,700.00	1,405.95	1,019.70	633.45
45,700.01	46,100.00	1,418.31	1,032.06	645.81

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
46,100.01	46,500.00	1,430.67	1,044.42	658.17
46,500.01	46,900.00	1,443.03	1,056.78	670.53
46,900.01	47,300.00	1,455.39	1,069.14	682.89
47,300.01	47,700.00	1,467.75	1,081.50	695.25
47,700.01	48,100.00	1,480.11	1,093.86	707.61
48,100.01	48,500.00	1,492.47	1,106.22	719.97
48,500.01	48,900.00	1,504.83	1,118.58	732.33
48,900.01	49,300.00	1,517.19	1,130.94	744.69
49,300.01	49,700.00	1,529.55	1,143.30	757.05
49,700.01	50,100.00	1,541.91	1,155.66	769.41
50,100.01	50,500.00	1,554.27	1,168.02	781.77
50,500.01	50,900.00	1,566.63	1,180.38	794.13
50,900.01	51,300.00	1,578.99	1,192.74	806.49
51,300.01	51,700.00	1,591.35	1,205.10	818.85
51,700.01	52,100.00	1,603.71	1,217.46	831.21
52,100.01	52,500.00	1,616.07	1,229.82	843.57
52,500.01	52,900.00	1,628.43	1,242.18	855.93
52,900.01	53,300.00	1,640.79	1,254.54	868.29
53,300.01	53,700.00	1,653.15	1,266.90	880.65
53,700.01	54,100.00	1,665.51	1,279.26	893.01
54,100.01	54,500.00	1,677.87	1,291.62	905.37
54,500.01	54,900.00	1,690.23	1,303.98	917.73
54,900.01	55,300.00	1,702.59	1,316.34	930.09
55,300.01	55,700.00	1,714.95	1,328.70	942.45
55,700.01	56,100.00	1,727.31	1,341.06	954.81
56,100.01	56,500.00	1,739.67	1,353.42	967.17
56,500.01	56,900.00	1,752.03	1,365.78	979.53
56,900.01	57,300.00	1,764.39	1,378.14	991.89
57,300.01	57,700.00	1,776.75	1,390.50	1,004.25
57,700.01	58,100.00	1,789.11	1,402.86	1,016.61
58,100.01	58,500.00	1,801.47	1,415.22	1,028.97
58,500.01	58,900.00	1,813.83	1,427.58	1,041.33
58,900.01	59,300.00	1,826.19	1,439.94	1,053.69
59,300.01	59,700.00	1,838.55	1,452.30	1,066.05
59,700.01	60,100.00	1,850.91	1,464.66	1,078.41
60,100.01	60,500.00	1,863.27	1,477.02	1,090.77
60,500.01	60,900.00	1,875.63	1,489.38	1,103.13
60,900.01	61,300.00	1,887.99	1,501.74	1,115.49
61,300.01	61,700.00	1,900.35	1,514.10	1,127.85
61,700.01	62,100.00	1,912.71	1,526.46	1,140.21
62,100.01	62,500.00	1,925.07	1,538.82	1,152.57
62,500.01	62,900.00	1,937.43	1,551.18	1,164.93
62,900.01	63,300.00	1,949.79	1,563.54	1,177.29
63,300.01	63,700.00	1,962.15	1,575.90	1,189.65
63,700.01	64,100.00	1,974.51	1,588.26	1,202.01
64,100.01	64,500.00	1,986.87	1,600.62	1,214.37
64,500.01	64,900.00	1,999.23	1,612.98	1,226.73
64,900.01	65,300.00	2,011.59	1,625.34	1,239.09
65,300.01	65,700.00	2,023.95	1,637.70	1,251.45
65,700.01	66,100.00	2,036.31	1,650.06	1,263.81

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
66,100.01	66,500.00	2,048.67	1,662.42	1,276.17
66,500.01	66,900.00	2,061.03	1,674.78	1,288.53
66,900.01	67,300.00	2,073.39	1,687.14	1,300.89
67,300.01	67,700.00	2,085.75	1,699.50	1,313.25
67,700.01	68,100.00	2,098.11	1,711.86	1,325.61
68,100.01	68,500.00	2,110.47	1,724.22	1,337.97
68,500.01	68,900.00	2,122.83	1,736.58	1,350.33
68,900.01	69,300.00	2,135.19	1,748.94	1,362.69
69,300.01	69,700.00	2,147.55	1,761.30	1,375.05
69,700.01	70,100.00	2,159.91	1,773.66	1,387.41
70,100.01	70,500.00	2,172.27	1,786.02	1,399.77
70,500.01	70,900.00	2,184.63	1,798.38	1,412.13
70,900.01	71,300.00	2,196.99	1,810.74	1,424.49
71,300.01	71,700.00	2,209.35	1,823.10	1,436.85
71,700.01	72,100.00	2,221.71	1,835.46	1,449.21
72,100.01	72,500.00	2,234.07	1,847.82	1,461.57
72,500.01	72,900.00	2,246.43	1,860.18	1,473.93
72,900.01	73,300.00	2,258.79	1,872.54	1,486.29
73,300.01	73,700.00	2,271.15	1,884.90	1,498.65
73,700.01	74,100.00	2,283.51	1,897.26	1,511.01
74,100.01	74,500.00	2,295.87	1,909.62	1,523.37
74,500.01	74,900.00	2,308.23	1,921.98	1,535.73
74,900.01	75,300.00	2,320.59	1,934.34	1,548.09
75,300.01	75,700.00	2,332.95	1,946.70	1,560.45
75,700.01	76,100.00	2,345.31	1,959.06	1,572.81
76,100.01	76,500.00	2,357.67	1,971.42	1,585.17
76,500.01	76,900.00	2,370.03	1,983.78	1,597.53
76,900.01	77,300.00	2,382.39	1,996.14	1,609.89
77,300.01	77,700.00	2,394.75	2,008.50	1,622.25
77,700.01	78,100.00	2,407.11	2,020.86	1,634.61
78,100.01	78,500.00	2,419.47	2,033.22	1,646.97
78,500.01	78,900.00	2,431.83	2,045.58	1,659.33
78,900.01	79,300.00	2,444.19	2,057.94	1,671.69
79,300.01	79,700.00	2,456.55	2,070.30	1,684.05
79,700.01	80,100.00	2,468.91	2,082.66	1,696.41
80,100.01	80,500.00	2,481.27	2,095.02	1,708.77
80,500.01	80,900.00	2,493.63	2,107.38	1,721.13
80,900.01	81,300.00	2,505.99	2,119.74	1,733.49
81,300.01	81,700.00	2,518.35	2,132.10	1,745.85
81,700.01	82,100.00	2,530.71	2,144.46	1,758.21
82,100.01	82,500.00	2,543.07	2,156.82	1,770.57
82,500.01	82,900.00	2,555.43	2,169.18	1,782.93
82,900.01	83,300.00	2,567.79	2,181.54	1,795.29
83,300.01	83,700.00	2,580.15	2,193.90	1,807.65

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
83,700.01	84,100.00	2,592.51	2,206.26	1,820.01
84,100.01	84,500.00	2,604.87	2,218.62	1,832.37
84,500.01	84,900.00	2,617.23	2,230.98	1,844.73
84,900.01	85,300.00	2,629.59	2,243.34	1,857.09
85,300.01	85,700.00	2,641.95	2,255.70	1,869.45
85,700.01	86,100.00	2,654.31	2,268.06	1,881.81
86,100.01	86,500.00	2,666.67	2,280.42	1,894.17
86,500.01	86,900.00	2,679.03	2,292.78	1,906.53
86,900.01	87,300.00	2,691.39	2,305.14	1,918.89
87,300.01	87,700.00	2,703.75	2,317.50	1,931.25
87,700.01	88,100.00	2,716.11	2,329.86	1,943.61
88,100.01	88,500.00	2,728.47	2,342.22	1,955.97
88,500.01	88,900.00	2,740.83	2,354.58	1,968.33
88,900.01	89,300.00	2,753.19	2,366.94	1,980.69
89,300.01	89,700.00	2,765.55	2,379.30	1,993.05
89,700.01	90,100.00	2,777.91	2,391.66	2,005.41
90,100.01	90,500.00	2,790.27	2,404.02	2,017.77
90,500.01	90,900.00	2,802.63	2,416.38	2,030.13
90,900.01	91,300.00	2,814.99	2,428.74	2,042.49
91,300.01	91,700.00	2,827.35	2,441.10	2,054.85
91,700.01	92,100.00	2,839.71	2,453.46	2,067.21
92,100.01	92,500.00	2,852.07	2,465.82	2,079.57
92,500.01	92,900.00	2,864.43	2,478.18	2,091.93
92,900.01	93,300.00	2,876.79	2,490.54	2,104.29
93,300.01	93,700.00	2,889.15	2,502.90	2,116.65
93,700.01	94,100.00	2,901.51	2,515.26	2,129.01
94,100.01	94,500.00	2,913.87	2,527.62	2,141.37
94,500.01	94,900.00	2,926.23	2,539.98	2,153.73
94,900.01	95,300.00	2,938.59	2,552.34	2,166.09
95,300.01	95,700.00	2,950.95	2,564.70	2,178.45
95,700.01	96,100.00	2,963.31	2,577.06	2,190.81
96,100.01	96,500.00	2,975.67	2,589.42	2,203.17
96,500.01	96,900.00	2,988.03	2,601.78	2,215.53
96,900.01	97,300.00	3,000.39	2,614.14	2,227.89
97,300.01	97,700.00	3,012.75	2,626.50	2,240.25
97,700.01	98,100.00	3,025.11	2,638.86	2,252.61
98,100.01	98,500.00	3,037.47	2,651.22	2,264.97
98,500.01	98,900.00	3,049.83	2,663.58	2,277.33
98,900.01	99,300.00	3,062.19	2,675.94	2,289.69
99,300.01	99,700.00	3,074.55	2,688.30	2,302.05
99,700.01	100,100.00	3,086.91	2,700.66	2,314.41
100,100.01	100,500.00	3,099.27	2,713.02	2,326.77
				(Add 3.09% for amounts in excess of \$100,500)

3. In place of the withholding tables in Paragraph C.2, employers may use the formulas provided in Subsection D.

D. Income Tax Withholding Formulas. The overall structure of the formulas used to compute the withholding tax is to calculate the tax on the total wage amount and then

subtract the amount of tax calculated on the standard deduction. The correct withholding formula depends upon the standard deduction amount claimed and annual wages.

1. Effective on or after January 1, 2025:

a. Withholding Formula for Taxpayers Not Claiming a Standard Deduction:

W is the withholding tax per pay period.
 S is employee's salary per pay period for each bracket, based on the midpoint of salary ranges.
 N is the number of pay periods.
 $W = S * .0309$

b. Withholding Formula for Single or Married-Separate Taxpayers Claiming the Standard Deduction:

W is the withholding tax per pay period.
 S is employee's salary per pay period for each bracket, based on the midpoint of salary ranges.
 N is the number of pay periods.
 $W = (S - (12500 / N)) * .0309$

c. Withholding Formula for Married-Joint Return, Qualified Surviving Spouse, or Head of Household Taxpayers Claiming the Standard Deduction:

W is the withholding tax per pay period.
 S is employee's salary per pay period for each bracket, based on the midpoint of salary ranges.
 N is the number of pay periods.
 $W = (S - (25000 / N)) * .0309$

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:32, R.S. 47:112, R.S. 47:295 and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Revenue, Policy Services Division, LR 28:2557 (December 2002), amended LR 35:255 (February 2009), LR 35:1543 (August 2009), LR 44:1062 (June 2018), LR 48:2173 (August 2022), amended by the Louisiana Department of Revenue, Tax Policy and Planning Division, LR 51:

Luke Morris
 Assistant Secretary

2501#006

DECLARATION OF EMERGENCY
Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Closure of a Portion of Public Oyster Seed Grounds East of the Mississippi River—Drum Bay, St. Bernard Parish

In accordance with the emergency provisions of the Administrative Procedure Act, Revised Statutes (R.S.) 49:962, which allows the Wildlife and Fisheries Commission (commission) to use emergency procedures to set oyster seasons and under the authority of R.S. 56:433 and R.S. 56:435.1.1, and under the authority of a Declaration of Emergency passed by the commission on September 5, 2024, which authorized the secretary of the Department of Wildlife and Fisheries to take emergency action if oyster resources and/or reefs are being adversely impacted, notice is hereby given that the secretary does hereby declare that the harvest of oysters from the following portions of the public oyster seed grounds east of the Mississippi River shall close at one-half hour after sunset on Sunday, December 22, 2024:

That portion of the public oyster seed grounds within the Drum Bay area, St. Bernard Parish, north of a line of latitude at 29 degrees 51 minutes 58 seconds N, and west of a line of longitude at 89 degrees 14 minutes 08 seconds W.

Recent biological sampling by the department indicates the reefs in this portion of the public oyster seed grounds are experiencing a localized mortality event. Additionally, harvest surveys by the department indicate these reefs are also receiving concentrated harvest pressure. Therefore, the closure is necessary to protect the remaining oyster resource, allowing conservation of that resource for future harvest opportunities. Continued commercial harvest could threaten the long-term sustainability of remaining oyster resources in these areas. Protection of these remaining oyster resources from injury is in the best interest of these public oyster seed grounds.

Notice of any opening, delaying, or closing of an oyster season will be provided by public notice at least 72 hours prior to such action, unless such closure is ordered by the Department of Health for public health concerns.

Madison D. Sheahan
 Secretary

2501#005

DECLARATION OF EMERGENCY
Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Shrimp Season Closure in Portions of State Inside Waters

The secretary of the Department of Wildlife and Fisheries has been notified that recent biological sampling conducted by the department indicated that average white shrimp size within these waters to be closed is smaller than the minimum possession count, and this action is being taken to protect these small white shrimp and provide opportunity for growth to larger and more valuable sizes. R.S. 56:498 provides that the possession count on saltwater white shrimp for each cargo lot shall average no more than 100 (whole specimens) per pound except during the time period from October 15 through the third Monday in December.

In accordance with the emergency provisions of R.S. 49:962 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons; R.S. 56:497 which allows the Wildlife and Fisheries Commission to delegate to the secretary of the Department of Wildlife and Fisheries the powers, duties and authority to set shrimp seasons; and in accordance with a Declaration of Emergency adopted by the commission on August 1, 2024, which authorizes the secretary of the department to close the fall inshore shrimp season when biological and technical data indicate the need to do so or if enforcement problems develop, the secretary does hereby declare:

The portion of Zone 1 from the western shoreline of the Mississippi River Gulf Outlet westward to the eastern shore of South Pass of the Mississippi River to close at official sunset on December 16, 2024, except for the following areas:

Lake Pontchartrain, Chef Menteur and Rigolets Passes, Lake Borgne, Biloxi Marsh, Mississippi Sound, Mississippi River Gulf Outlet, a section of the Gulf Intracoastal Waterway in Orleans parish from the Gulf Intracoastal

Waterway East Closure Sector Gate westward to the Gulf Intracoastal Waterway intersection with the Inner Harbor Navigation Canal, and the open waters of Breton and Chandeleur Sounds as bounded by the double-rig line described in R.S. 56:495.1(A)2.

The portion of Zone 2 from the eastern shore of South Pass of the Mississippi River westward to the western shore of Freshwater Bayou Canal to close at official sunset on December 16, 2024.

The portion of Zone 3 from the western shore of Freshwater Bayou Canal westward to the Louisiana/Texas state line to close at official sunset on December 16, 2024.

Existing data do not currently support shrimping closures in additional state inside and outside waters. However, historic data suggest additional closures may be necessary and the department will continue monitoring shrimp populations in these waters. Notice of any opening, delaying or closing of a season by the secretary will be made by public notice at least 72 hours prior to such action.

Madison D. Sheahan
Secretary

2501#002

Rules

RULE

Department of Agriculture and Forestry Office of Agriculture and Environmental Sciences Horticulture Commission

Retail and Wholesale Florists
(LAC 7:XV.126 and XXIX.Chapter 1)

The Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, has amended LAC 7:XV.126 and LAC 7:XXIX.102, 107, 109, 113, 115, 117, and 119. The Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. The Rule change is made in accordance with R.S. 3:3801, which gives the commissioner of Agriculture and Forestry the authority to adopt rules and regulations. The Rule changes are being made pursuant to ACT 643, ACT 243, ACT 217, and ACT 245 in the 2024 Regular Session.

ACT 643 of the 2024 Regular Session made several changes relative to retail and wholesale florists. ACT 643 removed the regulation, examination, and licensing of retail and wholesale florists, and established the occupation of and the requirements for floral dealers. ACT 643 gave the commissioner of the Department of Agriculture and Forestry the requirement to issue a notice of intent to amend its rules and regulations in conformity with ACT 643. ACT 217 of the 2024 Regular Session relative to arborists, provide for arboricultural examination requirements, license renewal requirements for arborists and utility arborists and related matters. The Rule changes also clarify the examination application process and approved examination sites. The amendments provide for a fee exemption for governmental agencies, schools, and non-profit organizations not in the business of commercial sales of nursery stock and cut flowers.

This Rule is written in plain language in an effort to increase transparency. This Rule is hereby adopted on the day of promulgation.

Title 7

Agriculture and Animals

Part XV. Plant Protection and Quarantine

Chapter 1. Crop Pests and Diseases

Subchapter B. Nursery Stock Quarantines

§126. Nursery Certificate Permit Fees

A. ...

1. Any nursery which consists of acreage greater than 2,500 square feet or greenhouse area greater than 200 square feet shall be \$100 per location per year and all other nursery certificate permittees shall pay a fee of \$25 per location per year.

2. Governmental agencies, schools, and nonprofit organizations which are not in the business of commercial sales of nursery stock are exempt from the payment of fees by this section. However, entities engaged in sales shall

apply for a nursery certificate and are subject to all crop pests and disease laws and regulations.

3. There is hereby established and henceforth there shall be a fee of \$0.10 per nursery certificate permit tag issued by the Louisiana Department of Agriculture and Forestry to the nursery certificate permittee.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1655 and R.S. 3:1652.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 15:78 (February 1989), amended LR 29:2297 (November 2003), LR 51:26 (January 2025).

Part XXIX. Horticulture Commission

Chapter 1. Horticulture

§102. Definitions

A. - C. ...

* * *

Floral Design—Repealed.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3801.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Horticulture Commission, LR 26:627 (April 2000), amended LR 33:1854 (September 2007), LR 34:2547 (December 2008), LR 40:758 (April 2014), LR 51:26 (January 2025).

§107. Application for Examination and Licensure or Permitting

A. Each applicant must complete the application form prescribed by the commission for the area in the practice of horticulture for which the license or permit is sought and submit the application to the commission at 5825 Florida Boulevard, Baton Rouge, LA 70806 along with any other information required by the commission in this Chapter for an applicant to take the requested examination.

B. ...

C. Applicants who have an occupational license or certification in a regulated profession or occupation from another state and reside in the state of Louisiana should refer to R.S. 37:51 et seq. for the Welcome Home Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3801, R.S. 3:3807, and R.S. 3:3808.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:184 (April 1982), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 14:7 (January 1988), LR 18:249 (March 1992), LR 20:639 (June 1994), LR 23:854 (July 1997), LR 29:1460 (August 2003), LR 31:1053 (May 2005), LR 35:1227, 1228 (July 2009), LR 37:3464 (December 2011), LR 40:758 (April 2014), LR 51:26 (January 2025).

§109. Examination and Licensure or Permitting Fees

A. - A.2. ...

B. Arborist, Landscape Horticulturist, Landscape Irrigation Contractor, Utility Arborist

1. The fee for examination or re-examination for licensure as an arborist, landscape horticulturist, landscape irrigation contractor, or utility arborist shall be \$114.

2. The fee for issuance or renewal for licensure as an arborist, landscape horticulturist, landscape irrigation contractor, landscape architect, or utility arborist shall be \$100.

C. Nursery Stock, Cut Flower, and Floral Dealer

1. The fee for issuance or renewal of a nursery stock dealer permit shall be \$150.

2. The fee for issuance or renewal of a cut flower dealer permit shall be \$90.

3. The fee for issuance or renewal of a floral dealer permit shall be \$100.

4. Governmental agencies, schools, and nonprofit organizations which are not in the business of commercial sales of nursery stock or cut flowers shall be exempt from the payment of fees by this section. However, entities engaged in sales shall apply for a permit and are subject to all commission laws and regulations.

D. A late fee of \$25 shall be charged after the fifteenth working day after a license or permit has expired for the renewal thereof.

E. All fees required under this rule must be submitted at the same time as the application; failure to submit any required fees will bar the applicant from taking the examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3806, R.S. 3:3805, and R.S. 3:3801.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:184 (April 1982), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 14:8 (January 1988), LR 18:249 (March 1992), LR 20:640 (June 1994), LR 29:2297 (November 2003), LR 31:1053 (May 2005), LR 35:1227 (July 2009), LR 37:3464 (December 2011), LR 40:758 (April 2014), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, LR 41:2098 (October 2015), LR 41:2578 (December 2015), LR 51:26 (January 2025).

§113. Examination Schedule and Administration

A. Examinations for licensure shall be administered in the commission’s state office at 5825 Florida Boulevard, Baton Rouge, LA 70806 and, upon written request, in district offices of the department or at a site approved by the commission. Each applicant shall be notified of the date for the examination.

B. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3807 and R.S. 3:3801.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:185 (April 1982), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 14:8 (January 1988), LR 18:250 (March 1992), LR 20:640 (June 1994), LR 31:1053 (May 2005), LR 35:1227 (July 2009), LR 37:3465 (December 2011), LR 40:759 (April 2014), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, LR 44:2127 (December 2018), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, LR 44:2127 (December 2018), LR 46:1076 (August 2020), LR 51:27 (January 2025).

§115. General Requirements for All Licensees or Permittee

A. - B. ...

C. The permits of cut flower, floral and nursery stock dealers must be prominently displayed at all times in a location accessible to the general public or any representative of the commission.

D. Licensees must display at least one of their license numbers on both sides of all vehicles that have advertisement or signs and are used for business purposes with lettering at least 2 inches high and legible at the distance of 25 feet. The number to be displayed shall be the last four digits of the license number preceded by two letters indicating the type of license as follows.

- AR—Arborist
- LH—Landscape Horticulturist
- LA—Landscape Architect
- IC—Landscape Irrigation Contractor
- UA—Utility Arborist

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3801 and R.S. 3:3808.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:185 (April 1982), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 20:640 (June 1994), LR 21:548 (June 1995), LR 31:1053 (May 2005), LR 34:2547 (December 2008), LR 35:1227 (July 2009), amended LR 46:1076 (August 2020), LR 51:27 (January 2025).

§117. Professional and Occupational Standards and Requirements

A. Floral Dealer

1. All cut flowers, ornamental plants, and living or freshly cut plant materials sold or offered for sale shall be fresh, of high quality, and free from injurious insects, diseases, and other pests. No plant material of low quality and no wilted or dead plant materials may be offered for sale to the general public or sold to a consumer except when specifically requested by the consumer.

2. Cut flowers and ornamental plants, and living or freshly cut plant materials shall be cared for in a manner that, to the extent reasonably possible, maintains their freshness and increases their longevity.

3. Coolers where cut flowers, ornamental plants, or living or freshly cut plant materials, are kept or stored shall be clean and maintained at a temperature conducive to prolonging the freshness of the said products kept or stored in the coolers.

4. Containers holding cut flowers or living or freshly cut plant materials shall be maintained in a manner that does not adversely affect the cut flowers or plant material. Water in containers shall be changed periodically so as to remain clean at all times.

5. Floral dealers may rent potted ornamental plants for special events such as weddings, conventions, trade shows, etc., if such plants are normally and customarily sold by floral dealers and such plants do not require maintenance, other than normal watering. Plants rented by floral dealers for a special event shall be rented only for the duration of that special event.

B. - B.4.h. ...

C. Landscape Irrigation Contractor

1. Before the commission issues a landscape irrigation contractor license the person to be licensed shall first furnish to the commission a certificate of insurance, written by an insurance company authorized to do business in Louisiana,

covering the public liability of the applicant, as a licensee, for personal injuries and property damages. The insurance policy shall provide for not less than \$25,000 per personal injuries and not less than \$50,000 for property damages, both limits applicable to each separate accident. The certificate of insurance shall provide for 30 days' written notice to the commission prior to cancellation. The commission may, however, waive the requirement for the stated insurance coverage for any licensed landscape irrigation contractor who does not physically work on landscape irrigation systems or accept responsibility for work on landscape irrigation systems but only provides consultation or other associated services with respect to landscape irrigation systems or the work performed on such systems.

2. Failure to maintain the required insurance may constitute a violation of this Part.

3. Licensees are required to attend and complete a commission approved continuing training seminar at least once every three years. Each licensee, prior to renewal of his or her license, shall provide the commission with certifiable evidence that the licensee has timely and successfully completed such a seminar.

4. Licensed landscape irrigation contractors shall enter into a written contract with the property owner, specifying the landscape irrigation services to be performed and the sum to be paid for the services. The contract shall include the following statement: "Any complaints regarding landscape irrigation installation should be directed to the Louisiana Horticulture Commission at 225/952-8100." Both parties shall receive a copy of the contract.

5. Licensees shall display their license at all times in a location accessible to the general public or any representative of the commission.

6. The following clarifications apply to licensed landscape irrigation contractors.

a. A licensed landscape irrigation contractor is not required to have a water supply protection specialist endorsement from the State Plumbing Board in order to install an irrigation system up to the point of connecting the irrigation system to a public or private water supply system or installing a backflow prevention device.

b. A licensed landscape irrigation contractor shall also have a water supply protection specialist endorsement from the State Plumbing Board before connecting any irrigation system to a public or private water supply system or installing a backflow prevention device, pursuant to R.S. 3:3808(Q)(4), (5).

c. A governing authority, such as a parish or municipality, shall issue all necessary permits, including necessary electrical permits, to a licensed landscape irrigation contractor who does not hold a water supply protection specialist endorsement for the installation of an irrigation system, except for those permits that would allow such a licensed landscape irrigation contractor to connect the irrigation system to a public or private water supply system or install a backflow prevention device.

d. A governing authority, such as a parish or municipality shall issue all necessary permits to a licensed landscape irrigation contractor who holds a water supply

protection specialist endorsement from the State Plumbing Board for the installation of an irrigation system, including necessary electrical permits and those permits that would allow such a licensed landscape irrigation contractor to connect the irrigation system to a public or private water supply system or install a backflow prevention device.

e. A licensed landscape irrigation contractor who also holds a water supply protection specialist endorsement from the State Plumbing Board is required by R.S. 3:3816(6) to install backflow prevention devices in accordance with ordinances adopted by local governing authorities, such as parishes and municipalities, regulating the installation of backflow prevention devices. If a local governing authority does not have an ordinance regulating the installation of backflow prevention devices, such devices shall be installed in accordance with the requirements of Part XIV (Plumbing) of the Sanitary Code, state of Louisiana.

D. - E.1. ...

2. Before the commission issues an arborist's license, the person to be licensed shall first furnish to the commission a certificate of insurance, written by an insurance company authorized to do business in Louisiana, covering the public liability of the applicant for personal injuries and property damages, and workers' compensation if applicable. The certificate of insurance shall provide for 30 days' written notice to the commission prior to cancellation.

a. The commission may waive the requirement for the stated insurance coverages for any licensed arborist who does not physically work on trees or accept responsibility for work on trees but only provides consultation with respect to work on trees.

E.2.b. - E.3. ...

4. Licensees shall enter into a written contract with the property owner employing him for arboricultural work, and the contract shall specify the services to be performed and the sum to be paid for the services. Both parties shall receive a copy of the contract.

E.5. - F.3. ...

4. Nursery stock dealers operating from a mobile unit shall not sell nursery stock within 300 feet of a place of business that holds a nursery stock or floral dealer's permit, nursery certificate permit, or a landscape horticulturist license.

F.5. - G.3. ...

4. Cut flower dealers, operating from a mobile unit shall not sell cut flowers, within 300 feet of place of business that holds a cut flower dealer's permit.

H. - H.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3801, and R.S. 3:3808.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:185 (April 1982), amended LR 9:410 (June 1983), LR 11:317 (April 1985), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 14:8 (January 1988), LR 20:640 (June 1994), LR 27:1832 (November 2001), LR 31:1054 (May 2005), LR 32:78 (January 2006), LR 32:1010 (June 2006), LR 33:1854 (September 2007), LR 35:1228 (July 2009), LR 36:2520 (November 2010), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, LR 42:1645 (October 2016), LR 46:1077 (August 2020), LR 48:2287 (September 2022), LR 51:27 (January 2025).

§119. Prohibition

A. - E. ...

F. No licensee, permittee or person engaged in any profession or occupation regulated by the commission shall use the words “design” or “designer” or any form of these words, whether separately or in combination with other words in any advertisement, solicitation or title, or on any estimate, contract or other document, except for those persons who are licensed as a landscape architect or permitted as a floral or cut flower dealer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3801.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:186 (April 1982), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 29:1460 (August 2003), LR 36:2520 (November 2010), LR 51:29 (January 2025).

Mike Strain, DVM
Commissioner

2501#011

RULE

**Department of Agriculture and Forestry
Office of Agro-Consumer Services
Weights and Measures Division**

Seafood Consumer Protection
(LAC 7:XXXV.Chapter 5)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 3:4706, the Department of Agriculture and Forestry (LDAF), Office of Agro-Consumer Services, Weights and Measures Division has adopted LAC 7:XXXV.Chapter 5, Subchapter C. Sections 513-523, relative to Seafood Consumer Protection.

Pursuant to R.S. 3:4706 the commissioner has adopted by Rule the provisions necessary to enforce the provisions of Act 148 from the 2024 Legislative Session. Section 513 provides for the authority of this Rule. Section 515 provides for the application of the Rule. Section 517 provides for the prohibitions relative to the marketing, labeling, packaging, or advertising of crawfish, shrimp, or any product thereof. Sections 519, 521, and 523 provide for complaints, investigations, enforcement, and penalties. This Rule is written in plain language in an effort to increase transparency. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XXXV. Agro-Consumer Services

Chapter 5. Consumer Products—Testing and Labeling

Subchapter C. Seafood Consumer Protection

§513. Authority

A. The Department of Agriculture and Forestry adopts these regulations under the authority of R.S. 3:4706 for the purposes of regulating and enforcing the truthfulness in labeling crawfish, shrimp, and products thereof and to prohibit the misleading packaging and marketing of seafood products.

AUTHORITY NOTE: Promulgated in accordance with and R.S. 3:4706.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division LR 51:29 (January 2025).

§515. Application

A. The provisions of this Chapter shall apply only to persons who place a label on retail food products sold or offered for sale.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4706.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division LR 51:29 (January 2025).

§517. Prohibitions

A. No person shall engage in the marketing, labeling, packaging, or advertising of crawfish, shrimp, or any product thereof, that implies or suggests any association with Louisiana’s culture and heritage if the association is likely to deceive the public as to its origin.

B. No person shall market crawfish, shrimp, or any product thereof using any Louisiana-related imagery, phrases, colors, or styles if the products are not genuinely linked to Louisiana’s cultural heritage and produced within this state or landed within the state.

C. The prohibitions in this section shall not apply if the country of origin appears on the front of the package in thirty-point Arial Black font.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4706.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division LR 51:29 (January 2025).

§519. Complaints and Investigations

A. The department may receive complaints regarding violations of this Chapter. Complaints may be directed to the department’s Weights and Measures Division.

B. Upon receipt of a complaint, the department may investigate the alleged violation.

C. The department may also investigate possible violations that the department may notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4706.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division LR 51:29 (January 2025).

§521. Enforcement

A. Whenever the department has reason to believe that a violation of this Chapter or the Act has occurred, the department may present the alleged violations at an adjudicatory hearing before the Weights and Measures Commission.

B. The department shall notify the respondent of the alleged violation as well as an opportunity to respond thereto, by certified mail, prior to any hearing date in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance R.S. 3:4706.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division LR 51:29 (January 2025).

§523. Penalties

A. Penalties may be assessed only by a ruling of the commissioner based upon a recommendation by the Weights and Measures Commission adjudicatory hearing held

pursuant to R.S. 3:4706 and the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4706.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Weights and Measures Division LR 51:29 (January 2025).

Mike Strain, DVM
Commissioner

2501#017

RULE

**Department of Agriculture and Forestry
Office of the Commissioner**

**Agritourism
(LAC 7:XLV.107)**

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:2, 3:3, and 9:2795.5, notice is hereby given that the Department of Agriculture and Forestry (“Department”), through the Office of the Commissioner, has promulgated LAC 7:XLV.107, relative to the issuance of physical certificates to agritourism professionals who have submitted and received approval of their plan of operation, in accordance with the procedure set forth in existing rule. The Rule merely provides for the issuance of a physical certificate, the terms of validity of physical certificate, and the procedure for renewal of the physical certificate. The Rule was promulgated in order to provide approved agritourism professionals with a physical certificate evidencing the approval of their plan of operation. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XLV. Agritourism

**Chapter 1. Agritourism Activities, Plan of Operation
§107. Issuance of Certificate**

A. The Louisiana Cooperative Extension Service of the Louisiana State University Agricultural Center shall submit the approved application and agritourism plan of operation to the agritourism director at the department who will issue a certificate of eligibility for the presumption of limited liability set forth in R.S. 9:2795.5.

B. Each certificate shall remain valid for a period of five years from the date of issuance.

C. To renew a certificate, an agritourism professional shall notify the agritourism director in writing that agritourism activities are continuous at the designated location. Upon verification, a new certificate will be issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:32, 3:3, and 9:2795.5.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 51:30 (January 2025).

Mike Strain, DVM
Commissioner

2501#070

RULE

**Department of Agriculture and Forestry
Office of Forestry**

**Indian Creek Recreation Area
(LAC 7:XXXIX.Chapter 5)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(A), the Department of Agriculture and Forestry (LDAF) and through the authority granted in R.S. 3:4402 has amended LAC 7:XXXIX, Chapter 5, Sections 505, 509, 523, 527, 531, 533, 535, 539, 545 to provide for fee and policy updates relative to the management of Indian Creek Recreation Area.

R.S. 3:4402 provides for the recreational management of the Indian Creek Lake. The Rule changes provide for updates to the day-use fee, camping fees, boating rental fees, and pavilion rental fees. The Rule changes provide for the adoption of a golf cart permit fee and a vendor application fee. The Rule changes amend policies relative to pets, equine, and camping. These Rules are written in plain language in an effort to increase transparency. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XXXIX. Forestry

Chapter 5. Indian Creek Recreation Area

§505. Vehicle Use

A. - G. ...

H. All golf carts must be registered and approved with site staff. Site staff will issue permits to approved golf carts. The golf cart permit fees can be found in §533(B).

AUTHORITY NOTE: Promulgated in accordance with Act 591 of 1970 and R.S. 3:4402.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:1503 (September 2016), amended LR 51:30 (January 2025).

§509. Livestock, Animals and Pets

A. - B. ...

C. Pets are not permitted to be left outside at an unattended campsite; this includes, but is not limited to, kenneled, tethered, or fenced.

D. All equine entering the recreation area shall be accompanied by a record of a negative Coggins test, official test for equine infectious anemia (EIA), conducted within the past 12 months. The test shall be conducted at an approved laboratory and the name of the laboratory, the case number, and the date of the test shall appear on the record.

AUTHORITY NOTE: Promulgated in accordance with Act 591 of 1970 and R.S. 3:4402.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:1504 (September 2016), amended LR 51:30 (January 2025).

§523. Business Activities

A. No person may sell or offer for sale any merchandise or service without the written consent of the site manager.

B. No person may distribute, post, place, or erect any advertising device without the written consent of the site manager.

C. Events

1. The site manager may allow businesses to participate in site events as a vendor.

2. The vendors must submit an application and a \$75 application fee to be considered for participation in events.

AUTHORITY NOTE: Promulgated in accordance with Act 591 of 1970 and R.S. 3:4402.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:1505 (September 2016), amended LR 51:30 (January 2025).

§527. Overnight Use

A. - A.12. ...

B. Camping

1. With the exception of a campground host and campsites reserved at the 30-day off-season rate, overnight camping is limited to 14 consecutive days. After 14 consecutive days of occupancy at a site, all registered visitors of the site and all camping equipment must vacate the site for 7 consecutive days before occupancy may be resumed. The site manager reserves the right to cancel any reservations in violation of this provision.

B.2 - B.5.b...

AUTHORITY NOTE: Promulgated in accordance with Act 591 of 1970 and R.S. 3:4402.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:1505 (September 2016), amended LR 43:1518 (August 2017), amended LR 51:31 (January 2025).

§531. Fees; Day-Use Fees

A. General Admission Day-Use Entrance Fees

1. The day-use fee at Indian Creek Recreational Area is up to \$8 per vehicle with 5 or fewer occupants and up to \$10 with more than 5 occupants. Pavilion rental does not include day-use fee.

2. ...

AUTHORITY NOTE: Promulgated in accordance with Act 591 of 1970 and R.S. 3:4402.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:1506 (September 2016), amended LR 43:1518 (August 2017), amended LR 51:31 (January 2025).

§533. Fees; Boating and Vehicle Use

A. Canoes, kayaks, flat bottom boats, paddleboats or other watercraft may be rented for up to \$60 per vessel per day. Rental of any watercraft includes paddles and two lifejackets. Additional life jackets are available for rental at fee of \$1 per day. Hourly watercraft rental is available at the following rates:

Time	Rental Fee
1 hour	\$20
2 hours	\$30
4 hours	\$40
8 hours	\$60

B. Golf Carts

1. All golf carts must be registered and approved with site staff. Site staff will issue permits to approved golf carts. The golf cart permit fees are as follows:

Permit Term	Permit Fee
Daily	\$10
Monthly	\$50
Annual	\$100

AUTHORITY NOTE: Promulgated in accordance with Act 591 of 1970 and R.S. 3:4402.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:1506 (September 2016), amended LR 43:1518 (August 2017), amended LR 51:31 (January 2025).

§535. Fees and Exemptions; Exemptions/Discounts

A. - D. ...

E. Law Enforcement. Law enforcement personnel who show proof of same and any person(s) accompanying him in a single, private, non-commercial vehicle, may receive a 10 percent discount on camp site rental fees. There is no discount on the winter rates or other rental rates (kayaks, boats, etc.). The person(s) will also receive a 50 percent discount off day-use fees. Proper picture identification is required.

AUTHORITY NOTE: Promulgated in accordance with Act 591 of 1970 and R.S. 3:4402.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:1506 (September 2016), amended LR 43:1518 (August 2017), amended LR 51:31 (January 2025).

§539. Fees and Exemptions; Overnight Use

A. Camping

1. The winter season is November 1 - February 28 and the summer season is March 1 - October 31.

2. A standard campsite is a non-waterfront campsite. A premium campsite is a waterfront campsite.

3. A Pull-Thru Campsite consists of two sites. An Ultra Pull-Thru campsite consists of a pull-thru waterfront double campsite for use by a single tenant camper.

4. The nightly rental rate for each campsite offered is up to the amount as shown in the following table:

Campsite	Summer Nightly Rate	Winter Nightly Rate
Standard Campsite	\$29	\$25
Premium Campsite	\$35	\$29
Standard Single Pull-Thru	\$29	\$25
Premium Single Pull Thru	\$35	\$29
Ultra Pull Thru	\$61	\$49
Primitive Area	\$21	\$17
Full Hook-Up	\$40	\$35

B. Rally camping areas are those designated and reserved for use by organized groups of overnight campers in the primitive area of the campsite.

1. Fees—Rally Camping

a. A fee up to \$55 per night is assessed to the group for the exclusive use of an area. Rally camping is available for tent camping in the primitive area of the campsite only.

C. Thirty-Day Off-Season Rates (available November 1 - February 28 only)

1. The thirty-day rental rate for each campsite offered is up to the amount as shown in the following table:

Campsite	Winter Season 30-Day Rate
Non-Waterfront Single	\$400
Waterfront Single	\$525
Full Hook Up	\$575

D. The fees set forth in this Section shall become effective February 1, 2025.

E. Online or telephone payments of the fees set forth in this Chapter may be subject to a credit card transaction fee.

AUTHORITY NOTE: Promulgated in accordance with Act 591 of 1970, R.S. 36:802.10, and R.S. 3:4402.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:1507 (September 2016), amended LR 43:1518 (August 2017), LR 47:229 (February 2021), repromulgated LR 47:1101 (August 2021), amended LR 51:31 (January 2025).

§545. Pavilion Use; Rate; Restrictions

A. Pavilion Rental

1. Exclusive use of the pavilion can only be made by executing a rental agreement and payment of a rental fee.

2. The pavilion rental rate is \$125 per day for the large pavilion and \$35 per day for the small pavilion. Pavilion rental does not include day-use fee.

3. Full payment of the \$125 rental fee for the large pavilion and \$35 rental fee for the small pavilion is due at time of reservation. Prior to, or on the date of the reservation, a \$50 cleaning deposit is required for the large pavilion and \$15 cleaning deposit for the small pavilion. The party renting the pavilion is responsible for cleanup after the event and ensuring the pavilion is not damaged. The cleaning deposit will be refunded to the customer either electronically or by U.S. mail within 10 days of the event if sufficiently clean.

A.4 - A.8. ...

AUTHORITY NOTE: Promulgated in accordance with Act 591 of 1970 and R.S. 3:4402.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 43:1519 (August 2017), amended LR 51:32 (January 2025).

Mike Strain, DVM
Commissioner

2501#018

RULE

**Department of Agriculture and Forestry
Office of Forestry**

Timber Harvesting
(LAC 7:XXXIX.1500, 1507, and 1509)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:4278.3 and R.S. 3:4278.6, notice is hereby given that the

Department of Agriculture and Forestry (“department”), through the Office of Forestry, adopts LAC 7:XXXIX.1500, 1507, and 1509 relative to timber harvesting.

The Rule changes were made pursuant to ACT 214 in the 2024 Regular Session which established a written contract or agreement shall be made for conducting timber harvesting operations with the intent to cut five acres or more of timberland, as well as civil penalties for failure to comply. ACT 214 gave the commissioner authority to adopt rules and regulations to implement the provisions of the ACT.

This Rule is written in plain language in an effort to increase transparency. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XXXIX. Forestry

Chapter 15. Timber Harvesting and Receiving Records

§1500. Definitions

Commissioner—the commissioner of the Louisiana Department of Agriculture and Forestry.

Forest Products—any tree, shrub, plant or related vegetation, or any part thereof.

Landowner—any individual, corporation, partnership, association, trust, joint venture, other legal entity or combination thereof who owns 5 contiguous acres or more of land located in Louisiana.

Written Contract or Agreement—a written and signed contract or agreement between the landowner or an individual with timber ownership rights and the purchaser of the standing timber that defines the terms and obligations of the timber harvesting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4278.3 and R.S. 3:4278.6.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 51:32 (January 2025).

§1507. Timber Harvesting Written Contract or Agreement

A. Pursuant to R.S. 3:4278.6, any person conducting timber harvesting operations with the intent to cut five acres or more of timberland shall enter into a written contract or agreement with the owner, purchaser, or an agent or representative of either the owner or the purchaser of such timberland.

B. The written contract or agreement for conducting timber harvesting operations shall contain the following:

1. term of timber harvest;
2. obligations of both parties;
3. amount or quantity;
4. payment; and
5. description of timber harvest:
 - a. location of tract such as a plat map;
 - b. type of harvest such as clear cut or thinning;
 - c. species and product such as pine log or hardwood logs; and
 - d. final destination of species and product

C. The written contract or agreement must be signed by both parties, and a fully executed copy must be provided to all parties prior to harvesting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4278.6.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 51:32 (January 2025).

§1509. Penalty for Violations [Formerly §1507]

A. In the event of a violation of R.S. 3:4278.3 or R.S. 3:4278.6 or the regulations promulgated thereunder, the maximum penalty allowed may be imposed after an adjudicatory hearing held in accordance with the Administrative Procedure Act. The Louisiana Forestry Commission shall make an initial determination on the matter. Their decision shall be submitted to the commissioner in writing.

B. The commissioner shall make the final determination on the matter. If the determination of the commissioner differs from the commission, the commissioner shall issue a written opinion based on the record of the hearing.

C. Appeals from ruling of the commissioner shall be taken in accordance with the provisions of the Administrative Procedure Act.

D. Pursuant to R.S. 3:4278.6, the commissioner may impose a civil penalty of not more than \$5000 for each instance of failure to comply with the provisions of §1507. Each day on which a violation occurs shall be considered a separate offense.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4278.3 and R.S. 3:4278.6.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 51:33 (January 2025).

Mike Strain, DVM
Commissioner

2501#012

RULE

**Louisiana Economic Development
Office of the Secretary**

Administrative and Miscellaneous Provisions
(LAC 13:VII.101, 103, 105, and 107)

Louisiana Economic Development (LED), pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 36:104, 42:14(E), 42:17.2 (E), and 42:17.2.1(B), adopts rules relative to Louisiana's open meetings law.

Act 393 of the 2023 Regular Session amended R.S. 42:17.2 and enacted R.S. 42:14(E) and 17.2.1 of Louisiana's Open Meetings law to permit certain, eligible public bodies to conduct its open meetings via electronic means (e.g. videoconference or teleconference.) Regardless of its eligibility status, electronic or alternate participation are required in open meetings as an ADA accommodation for people with disabilities. The purpose of the Rule is therefore to promulgate rules to allow for electronic or alternate participation in open meetings, as required by R.S. 42:14 E (4), 42:17.2 and 42:17.2.1(B). This Rule is hereby adopted on the day of promulgation.

Title 13

ECONOMIC DEVELOPMENT

**Part VII. Administrative and Miscellaneous Provisions
Chapter 1. Open Meetings via Electronic Means Policy**

§101. Agency Eligibility

A. Louisiana Economic Development (LED), meets the criteria pursuant to Act 393 of the 2023 Regular Legislative Session to be eligible to conduct open public meetings via electronic means.

1. is a state agency as defined by R.S. 49:951;
2. has powers, duties, or functions that are not limited in scope to a particular political subdivision or region;
3. conducts at least six regularly scheduled meetings in a calendar year; and
4. is not one of the agencies identified by R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 42:17.2.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:33 (January 2025).

§103. Postings Prior to Meeting via Electronic Means

A. At least 24 hours prior to the meeting, LED shall post the following on the agency's website at www.opportunitylouisiana.gov:

1. meeting notice and agenda; and
2. detailed information regarding how members of the public may:
 - a. participate in the meeting via electronic means, including the applicable videoconference link and/or teleconference phone number; and
 - b. submit written comments regarding matters on the agenda prior to the meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, R.S. 42:14(E) and R.S. 42:17.2.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:33 (January 2025).

§105. Electronic Meeting Requirements and Limitations

A. For any meeting conducted via electronic means, LED shall ensure compliance with all requirements outlined in R.S. 42:17.2(C).

B. LED shall not conduct any more than one-third of its open meetings, in a calendar year, via electronic means, and will only conduct successive meetings via electronic meetings as needed.

C. To the extent practicable, LED shall publish a schedule of its meetings indicating which upcoming meetings will be conducted via electronic means and which will be conducted only in person meetings.

D. All participating members of LED whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

E. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on LED's website at www.opportunitylouisiana.gov.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, R.S. 42:14(E) and R.S. 42:17.2.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:33 (January 2025).

§107. Disability Accommodations

A. Although an open meeting may be scheduled as in-person, LED is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

B. People with disabilities may request access, in advance of scheduled meetings, for participation in the public meetings via electronic means for LED, or for any public body within LED.

C. People with disabilities are defined as any of the following:

- 1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
- 2. a designated caregiver of such a person; or
- 3. a participant member of LED or any public body within LED, with an ADA-qualifying disability.

D. LED shall ensure that the written public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the designated representative to whom a disability accommodation may be submitted.

E. The designated LED representative shall provide the requestor with the accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

F. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: with R.S. 36:104, R.S. 42:14(E), R.S. 42:17.2, and R.S. 47:17.2.1.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:34 (January 2025).

Anne G. Villa
Deputy Secretary

2501#036

RULE

Board of Elementary and Secondary Education

Advisory Groups and Remote Participation
(LAC 28:I.503, 505, and 507, LAC 28:XI.103,
LAC 28:LXV.109, LAC 28:CXV.1319, and
LAC 28:CLXVII.1101)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:I in *BESE/8(g) Operations*, LAC 28:XI in *Bulletin 111—The Louisiana School, District, and State Accountability System*, LAC 28:LXV in *Bulletin 106—Agriculture Education Content Standards Curriculum Framework*, LAC 28:CXV *Bulletin 741—Louisiana Handbook for School Administrators*, and LAC 28:CLXVII in *Bulletin 140—Louisiana Early Childhood Care and Education Network*. The amendments align BESE policy with Act 393 of the 2023 Regular Legislative Session. The revisions adopt requirements to provide accommodations, upon request, to persons with disabilities to facilitate participation in advisory group meetings. Further amendments revise policy regarding LDOE and BESE

advisory group membership and meetings. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part I. BESE/8(g) Operations

Subpart 1. Board of Elementary and Secondary Education

Chapter 5. Organization

§503. Advisory Councils

- A. - C.2.c.ii. ...
- 3. Superintendents' advisory council:
 - a. ...
 - b. membership—23 members as follows:
 - C.3.b.i. - F.8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:6(A)(15), 17:11, 17:24.4, and 42:19.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:416 (March 2008), amended LR 35:1874 (September 2009), LR 36:2851 (December 2010), LR 37:2140 (July 2011), LR 38:772 (March 2012), LR 38:3152 (December 2012), LR 39:3263 (December 2013), LR 42:563 (April 2016), LR 44:744 (April 2018), LR 44:1995 (November 2018), LR 45:1444 (October 2019), LR 48:412 (March 2022); LR 48:2086 (August 2022), LR 51:34 (January 2025).

§505. Special Advisory Councils/Task Forces/Commissions/Study Groups

- A. ...
- 1. MFP Task Force. The Task Force will be convened upon, annually and/or as needed, by the BESE chair of the Board Administration and Education Finance Committee and BESE President in order to advise BESE in the development of the MFP formula as it applies to the distribution of funding of public schools.
 - a. authority—per BESE policy;
 - b. membership—29 members consisting of the following:
 - i. eight ex-officio representatives as follows:
 - (a). Board Administration and Education Finance Committee chair (serves as task force chair);
 - (b). four Board Administration and Education Finance Committee members;
 - (c). - ii.(d). ...
 - iii. ten designated representatives as follows:
 - (a). - (i). ...
 - (j). Repealed.
 - (k). - iv.(e). ...
 - (f). two public school parents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:6(A)(15), 17:11, 17:24.4, and 42:19.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:2086 (August 2022), amended LR 51:34 (January 2025).

§507. Open Meetings Participation via Electronic Means

A. BESE is an agency identified in R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

B. Public notice for a meeting shall include the contact information of the agency representative to whom a disability accommodation request may be submitted.

C. Where the capability exists, remote participation via electronic means shall be teleconference or video conference. BESE and LDOE shall provide for participation via electronic means or by email on an individualized basis

to persons with disabilities recognized by the Americans with Disabilities Act.

D. Public Participants. Members of the public with a disability recognized by the Americans with Disabilities Act or a designated caregiver of such a person may request remote participation for any meeting held by BESE or LDOE.

E. Membership Participants. A member of BESE or any advisory group who has a disability recognized by the Americans with Disabilities Act shall be allowed to participate and vote in a meeting via electronic means.

1. The presiding officer of any advisory group shall be present and shall preside over the meeting in person at the physical location at which the meeting is held.

2. Members participating in a meeting via electronic means shall be counted for the purpose of establishing a quorum and may vote.

3. Members who participate in a meeting via electronic means are not eligible to receive per diem.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:11, R.S. 17:24.4, R.S. 42:17.2.1, R.S. 42:14, and R.S. 42:19.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:34 (January 2025).

Title 28 EDUCATION

Part XI. Accountability/Testing

Subpart 1. Bulletin 111—The Louisiana School, District, and State Accountability System

Chapter 1. General Provisions

§103. Accountability Council (formerly Accountability Commission)

A. - B. Repealed.

C. Accountability Council (Formerly the Accountability Commission) Established.

1. - 2.c.iii. ...

d. The majority of the Accountability Council (AC) membership must be representatives of local educational agencies and shall consist of no fewer than nineteen voting members, all subject to approval or ratification of the board, as follows:

i. - D. ...

1. Terms. Unless otherwise provided by state or federal law, persons appointed by board members shall serve at the pleasure of the recommending authority. Persons appointed by organizations and agencies other than BESE shall serve terms determined by the appointing authority and ratified by the board. A council member may be removed without cause by the appointing authority at any time. Appointees must maintain employment and qualifications appropriate to the organizational category represented. Upon retirement, employment in a different capacity, or otherwise failure to maintain eligibility requirements, the member shall become ineligible to continue to serve and shall be replaced.

2.

3. Repealed.

4. Proxy. Any person serving on an advisory council who cannot attend a scheduled meeting may designate a person to attend as proxy.

5. Quorum. Unless otherwise provided, a quorum is a simple majority of the total membership. When known prior to an agenda being posted that a quorum is unlikely, the

council chair shall be so notified, and the meeting may be canceled.

6. - 8. ...

a. Appointed members are expected to attend all scheduled meetings of an advisory body. A council member shall be removed and the seat declared vacant if the member is no longer a legal resident of Louisiana, fails to remain active in or is no longer employed by the appointing organization or agency represented, or resigns.

b. - b.iii. Repealed.

E. Chair

1. The AC shall have one chairperson appointed by the State Superintendent of Education and ratified by the board.

2. The appointed chair shall preside at all meetings of the AC, shall perform such duties as may be required by the council, and shall be a nonvoting member.

F. Meetings

1. The council shall meet as scheduled in order to consider referrals from the board or the LDOE.

2. Regular meeting dates shall be scheduled one year in advance.

3. Agendas of regularly scheduled council meetings shall be distributed to council members by the LDOE staff at least seven calendar days in advance of a meeting. All council meetings shall be conducted in accordance with Louisiana open meetings law R.S. 42:11 et seq. In the event that no items have been referred for consideration, there are no items pending, and the LDOE has no items to bring forward to the council at least 10 days prior to a scheduled meeting, the meeting shall be cancelled, and the members shall be notified of the cancellation.

4. - 5. ...

6. - 9. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:2090 (August 2022), amended LR 51:35 (January 2025).

Title 28 EDUCATION

Part LXV. Bulletin 106—Agriculture Education Content Standards Curriculum Framework

Chapter 1. General

§109. Agricultural Education Commission

A. - B. Repealed.

C. - D.1 ...

2. Vacancies. A vacancy in an appointed position shall occur if an appointee, for any reason, is unable to serve the full extent the appointed term.

3. ...

4. Proxy. Any person serving on AEC who cannot attend a scheduled meeting may designate a person to attend as the member proxy.

5. Quorum. Unless otherwise provided, a quorum is a simple majority of the total membership. When known prior to an agenda being posted that a quorum is unlikely, the council chair shall be so notified and the meeting may be canceled.

6. - 8. ...

a. Appointed members are expected to attend all scheduled meetings of an advisory body. A commission member shall be removed and the seat declared vacant if the

member is no longer a legal resident of Louisiana, fails to remain active in or is no longer employed by the appointing organization or agency represented, or resigns.

b. - b.iii. Repealed.

E. - F. ...

1. The AEC shall meet as scheduled in order to consider referrals from the board or the LDOE.

2. Regular meeting dates shall be scheduled to convene one year in advance. The commission shall schedule meetings upon the call of the chairperson, but not less than once quarterly.

3. Agendas of regularly scheduled commission meetings shall be distributed to the members by the LDOE staff at least 7 calendar days in advance of a meeting. All meetings shall be conducted in accordance with Louisiana open meetings law R.S. 42:11 et seq. In the event that no items have been referred for consideration, there are no items pending, and the LDOE has no items to bring forward to the commission at least 10 days prior to a scheduled meeting, the meeting shall be cancelled, and the members shall be notified of the cancellation.

4. ...

5. Except where listed herein, the business shall be conducted in accordance with *Robert's Rules of Order*.

6. - 8. Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:2088 (August 2022), amended LR 51:35 (January 2025).

Title 28 EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 13. Discipline

§1319. Advisory Council on Student Behavior and Discipline

A. - B. Repealed.

C. - C.2.a. ...

b. Members of the council shall annually elect a new chair from among its membership by February 15 of each calendar year.

C.2.c. - D.1. ...

2. Vacancies. A vacancy in an appointed position shall occur if an appointee, for any reason, is unable to serve the full extent the appointed term.

3. Repealed.

4. Proxy. Any person serving on the council who cannot attend a scheduled meeting may designate a person to attend as the proxy.

5. Quorum. Unless otherwise provided, a quorum is a simple majority of the total membership. When known prior to an agenda being posted that a quorum is unlikely, the council chair shall be so notified and the meeting may be canceled.

6. - 8. ...

a. Appointed members are expected to attend all scheduled meetings of the council. A council member shall be removed and the seat declared vacant if the member is no longer a legal resident of Louisiana, fails to remain active in or is no longer employed by the appointing organization or agency represented, or resigns.

E. Meetings

1. Advisory councils shall meet as scheduled in order to consider referrals from the board or the LDOE.

2. Regular meeting dates shall be scheduled to convene one year in advance. The council shall schedule meetings upon the call of the chairperson, at least three times annually.

3. - 5. ...

6. - 8. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.1 and R.S. 17:253.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:2096 (August 2022), amended LR 51:36 (January 2025).

Title 28 EDUCATION

Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network

Chapter 11. Early Childhood Care and Education Advisory Council

§1101. Early Childhood Care and Education Advisory Council

A. Functions.

A.1. - D. ...

1. Terms. Members shall serve a term of three years at the pleasure of the appointing authority. Persons appointed by organizations and agencies other than BESE shall be ratified by the board. A council member may be removed without cause by the recommending agency at any time. Appointees must maintain employment and qualifications appropriate to the organizational category being represented. Once a member retires, becomes employed in a different capacity, or otherwise fails to maintain eligibility, the member shall become ineligible to continue to serve and shall be replaced.

2. Vacancies. A vacancy in an appointed position shall occur if an appointee, for any reason, is unable to serve the full extent of the term. At the conclusion of a membership term, LDOE and BESE shall publish a request for applications and select nominees for the subsequent term from the pool of applicants.

3. Repealed.

4. Proxy. Any person serving on an advisory council who cannot attend a scheduled meeting may designate a person to attend as proxy.

5. Quorum. A quorum is a simple majority of the total membership. When it is known prior to an agenda being posted that a quorum is unlikely, the council chair shall be so notified, and the meeting may be canceled. Proxies cannot be included for the purpose of establishing a quorum.

6. - 8. ...

a. Appointed members are expected to attend all scheduled meetings of an advisory body. A council member shall be removed and his/her seat declared vacant if the member is no longer a legal resident of Louisiana, fails to remain active in or is no longer employed by the organization or agency appointed to represent, or resigns.

b. - b.iii. Repealed.

E. Chair

1. The council shall have one chair and one vice-chair annually elected by the voting members of the council.

2. The chair shall preside at all meetings of the council and perform such duties as may be required by the council. The elected vice-chair shall serve in the absence of the chair and perform other duties as assigned by the chair.

F. Meetings

1. The council shall meet as scheduled in order to consider referrals from the board or the LDOE.

2. - 5. ...

6. - 9. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.1 and R.S. 17:407.51

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:2092 (August 2022), amended LR 51:36 (January 2025).

Tavares A. Walker
Executive Director

2501#034

RULE

Board of Elementary and Secondary Education

Bulletin 126—Charter Schools
Charter Schools

(LAC 28:CXXXIX.101, 311, 503, 515, Chapter 11, 1301, 1303, Chapter 15, 1701, 2105, 2107, 2501, Chapter 27, Chapter 29, 3903, 4003, 4005, and Chapter 43)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:CXXXIX in *Bulletin 126—Charter Schools*. The amendments align BESE policy with legislation enacted by the 2024 Regular Legislative Session. The revisions adopt requirements for implementation of Act 172: extension and renewal, Act 198: local special education advisory council, Act 216: mandatory reporters; Act 331: print “988” on student ID cards; Act 334: charter law and notice; Act 337: expulsion; Act 352: tobacco and marijuana products; Act 364: Type 2 charter applicants with a corporate sponsor; Act 375: school nurse training; Act 400: discipline; Act 428: ten-point grading scale; Act 659: student enrollment percentages; Act 680: student names; Acts 686 and 716 required instruction and trainings; and Act 780: student discipline. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part CXXXIX. Bulletin 126—Charter Schools

Chapter 1. General Provisions

§101. Purpose, Scope, and Effect

A. The purpose of this bulletin is to provide rules to govern the implementation of R.S. 17:3971 et seq., the "Louisiana Public Charter School Law" (hereafter, the "Charter School Law").

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3981.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:1357 (July 2008), amended LR 51:37 (January 2025).

Chapter 3. Charter School Authorizers

§311. Application Process for Locally-Authorized Charter Schools

A. - A.1. ...

a. Upon submission of an application for a Type 1 or Type 3 charter school to a local charter authorizer, an applicant shall provide notice to the LDOE.

A.2. - F.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, R.S. 17:3981, 17:93, and R.S. 17:3983.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education LR 44:231 (February 2018), amended LR 47:570 (May 2021), LR 51:37 (January 2025).

Chapter 5. Application and Approval Process for BESE-Authorized Charter Schools

§503. Eligibility to Apply for a Type 2 Charter School

A. - A.4. ...

5. except as provided in Subsections B, C, or F of this Section, has submitted a proposal for a type 1 or type 3 charter school to the local school board in whose jurisdiction the charter school is proposed to be located which:

A.5.a. - E. ...

F. Applicants applying to operate a charter school with a corporate partner, as defined in §3903 of this Part, are not required to submit a Type 1 charter application to such local school system and may submit a proposal for a Type 2 charter school directly to BESE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3973, R.S. 17:3981, R.S. 17:3982, R.S. 17:3983, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1360 (July 2008), amended LR 37:868 (March 2011), LR 38:3117 (December 2012), LR 39:1431 (June 2013), LR 39:3064 (November 2013), LR 44:232 (February 2018), LR 47:571 (May 2021), LR 51:37 (January 2025).

§515. Application Components for BESE-Authorized Charter Schools

A. - D.8. ...

9. a description of how the proposed charter school fulfills one or more of the purposes specified in the charter school law and this bulletin, including how the best interests of students who are economically disadvantaged will be considered;

10. ...

11. the school plan for identifying and successfully serving students with disabilities, English language learners, students with academic difficulties, students who qualify as economically disadvantaged, and gifted and talented students, as applicable, in order to comply with applicable laws and regulations;

D.12. - H.13. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:3981, and 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1362 (July 2008), amended LR 37:869 (March 2011), LR 37:2383 (August 2011), LR 38:38 (January 2012), LR 38:750 (March 2012), repromulgated LR 38:1392 (June 2012), amended LR 38:1583 (July 2012), LR 38:3118 (December 2012), LR 39:1432 (June 2013), LR 43:2477 (December 2017), LR 44:233 (February 2018), LR 44:2130 (December 2018), LR 47:572 (May 2021), amended LR 50:656 (May 2024), LR 51:37 (January 2025).

Chapter 11. Ongoing Review of Charter Schools
§1101. Evaluation for BESE-Authorized Charter Schools

A. - I.2.a. ...

b. transparency in student applications and enrollment;

I.2.c. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:3981, and 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1363 (July 2008), amended LR 37:871 (March 2011), repromulgated LR 37:1124 (April 2011), amended LR 37:2385 (August 2011), LR 38:751 (March 2012), repromulgated LR 38:1393 (June 2012), amended LR 38:3118 (December 2012), LR 39:1433 (June 2013), LR 39:3065 (November 2013), amended LR 40:1322 (July 2014), LR 44:235 (February 2018), LR 44:2130 (December 2018), LR 51:38 (January 2025).

§1103. Alternate Renewal Standards for Certain BESE-Authorized Charter Schools

A. BESE may approve alternate renewal standards for a charter school serving a unique student population or populations, or for a charter school that is not included in the Louisiana School and District Accountability System provided that:

1. ...

2. the alternate renewal standards are set forth in a framework approved by BESE; and

3. the alternate renewal standards include specific academic performance criteria.

B. The department shall develop the alternate renewal standards framework and shall engage with charter schools requesting use of such framework to determine the specific criteria to be included in the framework to be proposed for approval by BESE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1366 (July 2008), amended LR 40:1322 (July 2014), LR 44:236 (February 2018), LR 51:38 (January 2025).

§1105. Intervention Process for BESE-Authorized Charter Schools

A. The charter school performance compact must include an intervention process that articulates the steps the Department of Education may take should a school fall out of compliance with requirements outlined in the charter school performance compact, law, or BESE policy. The stages of the intervention process shall include, at a minimum:

A.1. - A.3. ...

4. revocation review. Upon failure to meet the requirements specified in the notice of breach, in instances of ongoing and significant concerns, or when the safety, health, or welfare of students is threatened, the department may initiate a revocation review. The review may include additional visits to the school or an in-depth audit to assess financial and/or organizational health. Findings from the revocation review will determine whether the LDOE shall commence revocation proceedings, whether the school will be granted a new or revised notice of breach, or whether reconstitution of the governing board will be recommended in accordance with §2105 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 39:1435 (June 2013), amended LR 44:236 (February 2018), LR 51:38 (January 2025).

Chapter 13. Charter Term
§1301. Initial Charter

A. An approved charter shall be valid for an initial term of five years.

B. A charter operator shall have a right to operate a charter school during its initial five year term unless the charter is revoked or surrendered.

C. A charter operator's right to operate a charter school shall cease upon the expiration of the initial five year term, unless the charter operator is granted an extension in accordance with Subsection D of this Section.

D. In the event of extraordinary circumstances, the initial charter may be extended by the same length of time as the impacting occurrence. Qualifying extraordinary circumstances include:

1. lack of issuance of a school performance score;

2. qualification as a severe impact school in accordance with LAC 28:XI.4503 (*Bulletin III*); or

3. other extraordinary circumstances as certified by the state superintendent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1366 (July 2008), amended LR 38:3118 (December 2012), LR 51:38 (January 2025).

§1303. Extension Review for BESE-Authorized Charter Schools

A. Each charter school shall be reviewed by its chartering authority after the completion of the fourth year of operation. If the charter school is achieving its stated goals and objectives pursuant to its approved charter, then the chartering authority shall extend the duration of the charter for a maximum initial term of five years. If the charter school is not achieving its stated goals and objectives pursuant to its approved charter, then the chartering authority shall not extend the duration of the charter, and the charter shall expire at the end of the school's fifth year.

B. - B.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1367 (July 2008), amended LR 37:2387 (August 2011), LR 38:751 (March 2012), repromulgated LR 38:1393 (June 2012), amended LR 38:3118 (December 2012), LR 39:1435 (June 2013), LR 39:3065 (November 2013), LR 40:1322 (July 2014), LR 41:1264 (July 2015), LR 43:2477 (December 2017), LR 44:237 (February 2018), LR 51:38 (January 2025).

Chapter 15. Charter Renewal
§1501. Renewal of Charter

A. - C. ...

D. Charter renewal criteria shall include academic performance and progress indices, as well as distinguish among charter schools with selective admissions criteria, charter schools without selective admissions criteria, and alternative charter school educational models.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981 and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1367 (July 2008), amended LR 37:871 (March 2011), LR 37:2388 (August 2011), LR 38:751 (March 2012), repromulgated LR 38:1393 (June 2012), amended LR 38:3118 (December 2012), LR 44:237 (February 2018), LR 51:38 (January 2025).

§1505. Eligibility for Renewal for BESE-Authorized Charter Schools (Formerly §1503.B)

A. - A.1. ...

2. the school growth is in the top quartile of the state in the most recent year and for more than half of the years in which the school received a growth score during the charter term; or

3. the school falls within the top quartile of the state in at least three of the following categories:

- a. total SPS;
- b. growth score;
- c. English learner proficiency growth;
- d. growth for economically disadvantaged students;

or

e. growth for students with disabilities.

B. For subsequent renewals, a BESE-authorized charter school receiving a letter grade of “D” or “F” in the prior academic year will not be eligible for renewal, unless one of these conditions are met:

1. - 2.a. ...

b. the school growth is in the top quartile of the state in the most recent year and for more than half of the years in which the school received a growth score during the charter term; or

i. Repealed.

c. the school falls within the top quartile of the state in at least three of the following categories:

- i. total SPS;
- ii. growth score;
- iii. English learner proficiency growth;
- iv. growth for economically disadvantaged students; or
- v. growth for students with disabilities.

C. - E. ...

F. A recommendation for non-renewal may also include a recommendation that a new charter provider operate the school or that the charter governing board be reconstituted in accordance with §2105 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:479 (March 2010), amended LR 37:871 (March 2011), LR 37:2388 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 38:3119 (December 2012), LR 39:1436 (June 2013), LR 39:3066 (November 2013), LR 40:1323 (July 2014), LR 41:1264 (July 2015), amended LR 44:238 (February 2018), LR 46:788 (June 2020), LR 51:39 (January 2025).

§1507. Renewal Term Length for BESE-Authorized Charter Schools (Formerly §1503.C)

A. For each charter school meeting the eligibility criteria for renewal, the state superintendent shall recommend that BESE renew of the charter for a specified number of years as provided for in Subsection C of this Section, unless the charter school has significant, intentional, or repeated non-compliance with financial or organizational requirements outlined in the charter school performance compact, in

which case the state superintendent may recommend that BESE allow the charter to expire at the conclusion of the school’s current charter term.

B. - B.2. ...

C. The state superintendent shall recommend renewal term lengths. Minimum renewal term lengths with potential additional years are based on organizational and financial performance over the current term.

1. A charter school with a current letter grade of A shall receive a minimum term length of 6 years, with potential additional years as follows:

- a. Does not meet expectations in any year, no additional years;
- b. Meets all and/or meets most expectations in all years, ≤ 2 years;
- c. Meets all expectations in all years, ≤ 4 years.

2. A charter school with a current letter grade of B shall receive a minimum term length of 5 years, with potential additional years as follows:

- a. Does not meet expectations in any year, no additional years;
- b. Meets all and/or meets most expectations in all years, ≤ 1 year;
- c. Meets all expectations in all years, ≤ 2 years.

3. A charter school with a current letter grade of C shall receive a minimum term length of 4 years, with no additional years.

4. No letter grade or a current letter grade of D or F shall receive a minimum term length of 3 years, with no additional years.

D. - D.1.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:479 (March 2010), amended LR 37:871 (March 2011), LR 37:2388 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 38:3119 (December 2012), LR 39:1436 (June 2013), LR 39:3066 (November 2013), LR 40:1323 (July 2014), LR 41:1264 (July 2015), LR 44:238 (February 2018), LR 51:39 (January 2025).

§1509. Automatic Renewal of BESE-Authorized Charter Schools (Formerly §1503.G)

A. - B.1. ...

2. has demonstrated growth in student academic achievement as measured by a current growth indicator equivalent to a letter grade of “A”;

B.3 - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:479 (March 2010), amended LR 37:871 (March 2011), LR 37:2388 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 38:3119 (December 2012), LR 39:1436 (June 2013), LR 39:3066 (November 2013), LR 40:1323 (July 2014), LR 41:1264 (July 2015) LR 44:239 (February 2018), LR 51:39 (January 2025).

Chapter 17. Revocation

§1701. Reasons for Revocation

A. - B.2. ...

C. In lieu of revocation, an authorizer may consider reconstitution of the charter school governing board in accordance with §2105 of this Part when the authorizer

determines such an action would be in the best interests of the students of the charter school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981 and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1368 (July 2008), amended LR 37:872 (March 2011), LR 38:3120 (December 2012), LR 51:39 (January 2025).

Chapter 21. Charter School Governance

§2105. Reconstitution of Governing Board

A. A charter authorizer may reconstitute the governing body of a charter school if the charter authorizer determines that the governing body has done any of the following:

1. committed a material and uncorrected violation of applicable law relative to the finances of the school or the health, safety, or welfare of students enrolled at the school;
2. failed to satisfy accountability provisions prescribed by the charter or chartering authority;
3. failed to meet generally accepted accounting standards of fiscal management;
4. committed material violations of the bylaws of the organization or nonprofit laws of the state; or
5. is imminently insolvent as determined by the chartering authority.

B. Prior to a decision regarding reconstitution of a charter governing body, the charter authorizer shall conduct a public hearing regarding the recommendation to reconstitute.

C. In any decision regarding reconstitution of a governing body, the charter authorizer shall consider the best interests of the students at the charter school, the severity of the violation, any previous violation, and the accreditation status of the school.

D. In the event of reconstitution of a governing body, the composition of the governing body shall comply with §2101 of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981 and R.S. 17:3992.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 51:40 (January 2025).

§2107. Prohibitions

A. - J. ...

1. as an administrator, teacher, substitute teacher, bus operator, substitute bus operator, janitor, or other school employee who might reasonably be expected to be placed in a position of supervisory or disciplinary authority over school children who has been convicted of or has pled nolo contendere to a crime listed in R.S. 15:587.1(C);

2. - 2.c....

K. A charter school shall not require the parent or legal guardian of any student to disclose any medical information or special education needs, income, or economically disadvantaged status prior to enrollment in the charter school, unless otherwise specifically required by law. However, a charter school may provide enrollment preference to a student with special needs or who is economically disadvantaged when information regarding such needs has been voluntarily provided by the parent or legal guardian of the student.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:3981, and 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1371 (July 2008),

amended LR 37:874 (March 2011), LR 44:241 (February 2018), LR 44:2134 (December 2018), LR 51:40 (January 2025).

Chapter 25. Charter School Fiscal Responsibility

§2501. Qualified and Competent Business Professional

A. - D. ...

1. The Louisiana Association of Public Charter Schools (LAPCS) may develop a charter school business professional certification program comparable to the CLSBA and CLCSBA certification issued by LASBO and required in LAC 28:XLI (*Bulletin 1929*). The certification program plan shall include a training curriculum, compliance tracking and data reporting system and must be submitted to the LDOE for approval.

2. A certification issued by LAPCS may substitute for the requirements under LAC 28:XLI.1301 once the plan is approved by the LDOE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3981.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1372 (July 2008), amended LR 38:3120 (December 2012), LR 39:1437 (June 2013), LR 39:3068 (November 2013), LR 44:241 (February 2018), amended LR 50:657 (May 2024), LR 51:40 (January 2025).

Chapter 27. Charter School Recruitment and Enrollment

§2705. Admission Requirements for BESE-Authorized Charter Schools

A. ...

B. Admission requirements imposed by a school must be set forth in the charter school's approved charter contract and shall be specific and shall include a system for admission decisions which precludes exclusion of pupils based on race, religion, gender, ethnicity, national origin, intelligence level as ascertained by an intelligence quotient examination, or identification as a child with an exceptionality as defined in R.S. 17:1942(B), or identification as a student who is economically disadvantaged. Such admission requirements may include, however, specific requirements related to a school's mission such as auditions for schools with a performing arts mission or proficiency in a foreign language for schools with a language immersion mission. Any charter school which began operation prior to July 1, 2012, and which incorporated achievement of a certain academic record as part of its admissions requirements may continue to utilize such admission requirements. No charter school beginning operation on or after July 1, 2012 may incorporate the achievement of a certain academic record as part of its admission requirements.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1374 (July 2008), amended LR 37:875 (March 2011), LR 38:3120 (December 2012), LR 44:243 (February 2018), LR 51:40 (January 2025).

§2707. Application Period for BESE-Authorized Charter Schools

A. Prior to each school year, a charter school shall establish a designated student application period. Application information shall be made available to all applicants and posted on the school website, to include at least the following:

1. enrollment eligibility;
2. program enrollment capacity;
3. application period; and
4. notice of application and enrollment dates.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1374 (July 2008), amended LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 43:310 (February 2017), LR 51:40 (January 2025).

§2709. Enrollment of Students, Lottery, and Waitlist in BESE-Authorized Schools

A. - D.2.a. ...

b. Lottery information shall be made available to all applicants, including but not limited to when and where the lottery will be conducted, the mechanism by which the lottery will be conducted, and the results of the lottery including any wait list information.

c. Applicants placed on a lottery enrollment wait list shall be notified of their wait list ranking and notified of any changes to the enrollment wait list throughout the year.

d. An established lottery shall occur each successive year, as necessary.

e. Lottery enrollment wait lists shall not roll over from one school year to the next.

3. If a charter school's enrollment capacity is increased for the purpose of enrolling students displaced due to a federally-declared disaster and the charter school's designated application period has passed, the charter school may enroll students displaced due to a federally-declared disaster on a first-come, first-served basis until the enrollment capacity is reached.

E. - L. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1374 (July 2008), amended LR 38:753 (March 2012), repromulgated LR 38:1395 (June 2012), amended LR 38:3120 (December 2012), LR 39:1021 (April 2013), LR 39:1437 (June 2013), LR 39:3252 (December 2013), LR 41:1265 (July 2015), LR 43:310 (February 2017), LR 43:2478 (December 2017), LR 44:243 (February 2018), LR 51:41 (January 2025).

§2713. Required Student Enrollment Percentages

A. - D. ...

1. the charter school percentage of economically disadvantaged students shall be greater than or equal to 70 percent of the percentage of economically disadvantaged students from the local public school districts from which the charter school enrolls; and

2. the charter school percentage of students with exceptionalities shall be greater than or equal to 70 percent of the percentage of students with exceptionalities from the local public school districts from which the charter school enrolls.

E. - H.2. ...

a. Failure to meet the requirements of this Section does not solely constitute grounds for revocation of a charter; however, the charter authorizer may require compliance with actions prescribed pursuant to this Subsection.

b. Required actions may include, but are not limited to, targeted outreach efforts and enrollment lotteries weighted proportionately to the specific deficiency identified in the required percentages.

c. Each school is responsible for maintaining documentation of outreach efforts and lottery proceedings conducted in an effort to meet the requirements of this Section.

I. If the aggregate student enrollment data for all of the charter schools located within the boundaries of the city or parish school system in which a charter school is located meets the enrollment requirements of economically disadvantaged students and students with exceptionalities, not including gifted and talented, every charter school located within the boundaries of the school system shall be deemed to be in compliance with the provisions of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) R.S. 17:3973, R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1375 (July 2008), amended LR 37:875 (March 2011), LR 40:1325 (July 2014), LR 42:550 (April 2016), LR 43:310 (February 2017), LR 43:2478 (December 2017), LR 51:41 (January 2025).

Chapter 29. Charter School Staff

§2903. Teaching Authorizations

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:2134 (December 2018), repromulgated LR 45:39 (January 2019), repealed LR 51:41 (January 2025).

§2905. Criminal History Review

A. - A.2. ...

B. No person who has been convicted of or has pled *nolo contendere* to a crime listed in R.S. 15:587.1 shall be hired by a public elementary or secondary school as a teacher, substitute teacher, school bus operator, substitute school bus operator, janitor, or as any school employee who might reasonably be expected to be placed in a position of supervisory or disciplinary authority over school children.

1. Repealed.

C. ...

D. - D.1. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:3981, and 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1375 (July 2008), amended LR 37:875 (March 2011), LR 39:3068 (November 2013), LR 44:245 (February 2018), LR 44:2134 (December 2018), LR 51:41 (January 2025).

§2907. Mandatory Reporters

A. Any school employee or school resource officer having reasonable cause to believe that a student has been mentally, physically, or sexually abused shall report these facts to the appropriate authorities.

B. Any person making a report in good faith regarding child abuse shall have immunity from civil liability that may be otherwise incurred.

C. An employer shall not discriminate or retaliate against an employee who is a mandatory reporter from complying with reporting requirements.

D. An employer shall not enact policies that prohibit or limit mandatory reporting to the Louisiana Department of Children and Family Services and/or state or local law enforcement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-10, R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:41 (January 2025).

Chapter 39. Corporate Partnerships

§3903. Requirements for Corporate Partnerships

A. A corporate partner is any legal entity except for a corporation identified in R.S. 18:1505.2(L)(3), whether for profit or not for profit, registered with the secretary of state, a regional airport, or any federal or state agency, including a public postsecondary education institution, that has, acting individually or as part of a consortium of corporations, donated or provided one or more of the following to the school:

A.1. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3991.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:753 (March 2012), repromulgated LR 38:1395 (June 2012), amended LR 51:42 (January 2025).

Chapter 40. Charter School Autonomy

§4003. Applicability of State Laws

A. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

1. - 6. ...

7. tobacco or marijuana products, R.S. 17:240;

8. - 11. ...

12. Repealed.

13. - 20. ...

21. Repealed.

22. ...

23. Repealed.

24. - 28...

29. Repealed.

30. - 31. ...

32. school crisis management and response plans, R.S. 17:416.16 and LAC 28:CXV.339 (*Bulletin 741*);

33. - 34. Repealed.

35. - 42. ...

43. Repealed.

44. ...

45. - 46. Repealed.

47. - 51. ...

52. use of certain names and pronouns for students and employees, R.S. 17:2122;

53. ten-point grading scale, R.S. 17:184;

54. school nurse in-service training relative to sickle cell disease, R.S. 17:436.5.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3996.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 44:246 (February 2018), amended LR 48:1269 (May 2022), LR 50:178 (February 2024), LR 50:657 (May 2024), repromulgated LR 50:783 (June 2024), amended LR 51:42 (January 2025).

§4005. Other Statutory Requirements

A. ...

B. Each local public school superintendent or the administrative head of a charter school shall create a special education advisory council (SEAC) in accordance with IDEA and LAC 28:CXV.331 *Bulletin 741*.

C. The governing authority of each public secondary school that issues student identification cards shall have printed on the cards and shall have posted on the school website the following information:

1. the National Suicide Prevention Lifeline hotline number, "988"; and

2. a local suicide prevention hotline number, if available.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3996.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 44:247 (February 2018), amended LR 51:42 (January 2025).

Chapter 43. Discipline

§4301. Disciplinary Regulations

A. Each charter school shall adopt such rules and regulations as it deems necessary to implement and control any disorderly conduct in the school or on the playground of the school, on any school bus, on the street or road while going to and from school, or during intermission and recess, or at any school sponsored activity or function.

1. The plan shall not prohibit a teacher from removing a pupil from the classroom for disciplinary reasons. A student whose behavior prevents the orderly instruction of other students or poses an immediate threat to the safety or physical well-being of any student or teacher shall be immediately removed from the classroom and placed in the custody of the principal or designee.

2. ...

3. The plan shall not prohibit or discourage a teacher from taking disciplinary action, recommending disciplinary action, or completing a form to initiate disciplinary action against a student who violates school policy or who interferes with an orderly education process.

4. A principal or administrator shall not retaliate or take adverse employment action against a teacher for taking disciplinary action.

5. Each charter school shall adopt rules regarding the reporting and review of disciplinary actions.

B. - G.2.c.xi. ...

xii. requiring the completion of all assigned school work and homework that would have been assigned and completed by the student during the period of out-of-school suspension.

xiii. any other disciplinary measure authorized by the principal with the concurrence of the teacher of the school building level committee pursuant to law and charter school policy.

3. ...

4. Upon the third disciplinary removal from the same classroom, the teacher and principal shall discuss the disruptive behavior patterns of the student and the

appropriate classroom disciplinary action prior to principal application of a disciplinary measure. A conference between the teacher or other appropriate school employee and the student's parent or legal custodian is required prior to student readmission to the same classroom. Such conference may be in person, by telephone, or by other virtual means. If such a conference is required by the school or charter school policy, the school shall give written notice to the parent.

G.5. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:223-224, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:999 (April 2022), amended LR 51:42 (January 2025).

§4303. Student Code of Conduct

A. - A.4. ...

a. Before an initial referral for student expulsion, codes of conduct shall require the prior administration of interventions in accordance with the minor tiers in the code of conduct, except in instances where the expulsion referral is the result of accumulated minor infractions in accordance with the code of conduct, or the underlying incident threatens the safety and health of students or staff, or the offense is related to possession of tobacco, alcohol, or vaping products on school property, on a school bus, or at a school-sponsored event.

A.4.b. - 5. ...

6. Each charter school shall include in its code of conduct clearly defined rules of conduct and expectations of students engaged in virtual instruction as well as clearly defined consequences of conduct, respecting the student and family rights to privacy and other constitutional rights while at home or in a location that is not school property.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81, R.S. 17:223-224, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1000 (April 2022), amended LR 51:43 (January 2025).

§4305. Bullying

A. - A.2.c. ...

B. - B.5. Repealed.

C. - G.3.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:415, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1000 (April 2022), LR 49:254 (February 2023), repromulgated LR 49:860 (May 2023), amended LR 51:43 (January 2025).

§4307. Classroom Management Training for School Staff

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:252.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1002 (April 2022), repealed LR 51:42 (January 2025).

§4313. Reasons for Expulsions

A. Students may be expelled for any of the following reasons:

1. Any student, after being suspended for committing any of the offenses listed in §4305 of this Chapter, may be expelled upon recommendation by the principal of the public school in which the student is enrolled.

2. Any student, after being suspended on three occasions for committing drugs or weapons offenses during the same school session, shall, on committing the fourth offense, be expelled from all the public schools of the parish or city school system wherein he or she resides until the beginning of the next regular school year, subject to the review and approval of the local educational governing authority.

3. The conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act which, had it been committed by an adult, would have constituted a felony, may be cause for expulsion of the student for a period of time as determined by the board.

a. Such expulsions shall require the vote of two thirds of the elected members of the local educational governing authority.

b. Such expulsions shall not be for a period of time longer than the student's period of adjudication as determined by the applicable court presiding over the student's criminal matter, shall run concurrent to the student's period of disposition, and may require the student to serve the time left in the expulsion period as required by the superintendent or designee if the student was serving an expulsion period when the student was incarcerated for a separate offense and the student completes the period of incarceration with time left in the expulsion period.

c. Such conviction or incarceration may be sufficient cause for a superintendent to refuse admission of the student to a school except upon review and approval of a majority of the elected members of the local school board.

4. Any student in sixth grade and above found guilty of being in possession of tobacco, alcohol, or vaping products on school property, on a school bus, or at a school-sponsored event, may be recommended for expulsion.

5. A student in sixth grade and above who is found guilty of being in possession of a firearm, a knife with a blade equal to or in excess of two and one-half inches in length, or any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school event shall be expelled from school according to the requirements of R.S. 17:416(C)(2). The school principal or designee shall, within five days of arrest, refer such student for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances. If evidence of abuse is found, the principal or designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian.

6. Any student in sixth grade and above who is suspended a third time within the same school year for any offense, excluding dress code or tardiness, shall be recommended for expulsion.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1003 (April 2022), amended LR 51:43 (January 2025).

§4315. Guidelines for Expulsions

A. - C. ...

D. A student expelled from school pursuant to the provisions of R.S. 17:416 may be readmitted on a probationary basis to school at any time during the specified

period of expulsion on such terms and conditions as may be stipulated by the city, parish, or other local school superintendent and agreed to in writing by the student and by the student's parent or other person responsible for the student's school attendance. However, any such written agreement shall include a provision that upon the school principal or superintendent of schools determination that the student has violated any term or condition of the agreement, the student shall be immediately removed from the school premises without the benefit of any hearing or other procedure applicable to student out-of-school suspensions and expulsions and returned to the school system alternative school setting. As soon thereafter as possible, the principal or designee shall provide verbal notice to the superintendent of schools of any such determination and also shall attempt to provide such verbal notice to the student's parent or other person responsible for the student's school attendance. The principal or his designee also shall provide written notice of the determination and the reasons therefore to the superintendent and to the student's parent or other responsible person.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1004 (April 2022), amended LR 51:43 (January 2025).

§4321. Corporal Punishment

A. - B. ...

1. Taping a student's mouth shut or otherwise restricting a student's airway in any manner is prohibited regardless of parental consent.

C. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:416.1, R.S. R.S. 17:3981, and 17:3996(B)(2).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1005 (April 2022), amended LR 51:44 (January 2025).

Tavares A. Walker
Executive Director

2501#026

RULE

Board of Elementary and Secondary Education

Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel
Performance and Professional Development
(LAC 28:CXLVII.313 and 331)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28: CXLVII in *Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel*. The amendments align BESE policy with legislation enacted by the 2024 Regular Legislative Session. The revisions adopt requirements for implementation of Act 193, which requires superintendent contracts to provide that the local superintendent is subject to a performance evaluation. At least fifteen percent of the evaluation shall be based on evidence of growth in student achievement by the

end of third grade in literacy, and at least fifteen percent of the evaluation shall be based on evidence of growth in student achievement by the end of third grade in mathematics, as determined by BESE. Further revisions provide teachers greater autonomy in the selection of professional learning. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part CXLVII. Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel

Chapter 3. Personnel Evaluation

§313. Professional Learning

A. - A.4. ...

5. Educators rated Proficient or higher on the previous year evaluation should be afforded greater autonomy in the selection of professional learning.

B. ...

C. Each LEA must conduct an annual needs assessment to determine the effectiveness of its professional learning requirements and program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1218 (May 2012), amended LR 50:952 (July 2024), LR 51:44 (January 2025).

§331. Superintendent Performance Evaluation

A. The superintendent of a city, parish, or other local public school system shall be evaluated based on performance as established in a written contract.

B. At least fifteen percent of the evaluation shall be based on evidence of growth in student achievement by the end of third grade in literacy, and at least fifteen percent of the evaluation shall be based on evidence of growth in student achievement by the end of third grade in mathematics.

1. For the purposes of this Section, student achievement by the end of third grade in literacy shall be the percentage of students determined to be proficient by scoring at or above grade level on the end-of-year literacy screener administered in accordance with LAC 28:CXV.2307 (*Bulletin 741-Louisiana Handbook for School Administrators*).

2. For the purposes of this Section, student achievement by the end of third grade in mathematics shall be follows:

a. Through the 2025-2026 school year, student achievement by the end of third grade in mathematics shall be the percentage of students determined to be proficient by scoring at or above grade level on a system-selected objective measure of mathematics administered to all students in the school system.

b. Beginning with the 2026-2027 school year, student achievement by the end of third grade in mathematics shall be the percentage of students determined to be proficient by scoring at or above grade level on the end-of-year numeracy screener administered in accordance with LAC 28:CXV.2307 (*Bulletin 741-Louisiana Handbook for School Administrators*).

3. Growth in student achievement shall be measured as the change in the percentage of proficient students from the end of second grade to the end of third grade.

4. The remaining percentage of the evaluation shall be determined as established in the contract.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:54.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:44 (January 2025).

Tavares A. Walker
Executive Director

2501#027

RULE

Board of Elementary and Secondary Education

Bulletin 135—Health and Safety
Medication and Student Health
(LAC 28:CLVII.Chapters 3, 5, and 7)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:CLVII in *Bulletin 135—Health and Safety*. The amendments align BESE policy with legislation enacted by the 2024 Regular Legislative Session. The revisions set forth the requirements for implementation of the following acts: Act 95, CPR/AED training for coaches; Act 161, practitioner provision of services; Act 378, emergency medications; Act 421, cardiac health information for student athletes; Act 460, medication administration; Act 674, COVID vaccine not required for enrollment or attendance; and Act 745, behavioral health services. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part CLVII. Bulletin 135—Health and Safety

Chapter 3. Health

§303. Immunizations

A. - H.2. ...

I. No teacher, school employee, or administrator shall discriminate based on a student's vaccination status to determine eligibility or participation in any classroom, school, or extracurricular activity, including organizing seating arrangements or issuing surveys to students relative to vaccine status.

J. No person shall be required to receive a COVID-19 vaccine as a condition of initial enrollment or continuing attendance at any public school or facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:170, 17:170.2, and 17:170.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:1029 (April 2013), amended LR 45:35 (January 2019), LR 48:2549 (October 2022), LR 50:976 (July 2024), LR 51:45 (January 2025).

§305. Administration of Medication

A. - B. ...

1. Medication shall not be administered to any student without an order from a Louisiana, or any other state of the United States, licensed physician, dentist, or other authorized healthcare prescriber and it shall include the following information:

B.1.a. - F.1. ...

2. The school nurse shall be responsible for the training of non-medical personnel who have been designated by each principal to administer medications in each school. Except for training in administration of an opioid antagonist such as Naloxone, the training shall be at least six hours and include but not be limited to the following provisions:

a. - e. ...

3. No employee other than a registered nurse, licensed medical physician, an appropriate licensed health professional, or hired and trained unlicensed nursing personnel or unlicensed assistive personnel as defined by the Louisiana State Board of Nursing shall be required to perform an outside tracheostomy suctioning procedure on any child in an education setting. However, nothing shall prohibit an employee who volunteers to perform such procedure and who complies with the training and demonstration requirement from being allowed to perform such procedure on a child in an educational setting.

G. - I.8. ...

J. Each LEA shall adopt a policy regarding the administration of naloxone and other opioid antagonists that authorizes a school to maintain a supply of naloxone or other opioid antagonists and authorizes a school nurse or other school employee to administer naloxone or other opioid antagonists to any student or other person on local school grounds in the event of an actual or perceived opioid emergency.

1. Designated school employees other than school nurses shall receive training to address techniques on how to recognize signs of opioid-related overdose, standards and procedures for the storage and administration of naloxone or other opioid antagonist, and emergency follow-up procedures, including the requirement to summon emergency services either immediately before or immediately after administering naloxone or other opioid antagonist.

2. The following are not liable for damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with administration or self-administration of naloxone or another opioid antagonist, unless the act or omission constitutes willful or wanton misconduct:

- a. a public or nonpublic school;
- b. a public or nonpublic school employee or volunteer;
- c. a licensed health professional authorized to prescribe medication who personally furnishes or prescribes naloxone or other opioid antagonist; and
- d. a trained organization and its personnel.

3. The LDOE shall develop and distribute the list of approved medications. Schools may maintain a stock of certain life-saving medications dispensed with a prescription issued in accordance with this Subsection and R.S. 17:436.1.M.(1).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:436.1, R.S. 17:436.(M)(1), and R.S. 17:436.1(J).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education and the Board of Nursing, LR 39:1030 (April 2013), amended LR 39:2193 (August 2013), LR 50:976 (July 2024), LR 51:45 (January 2025).

§309. Communicable Disease Control

- A. - F. ...
- G. Repealed.
- H. - I.6.a. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(10)(15), R.S. 17:170, R.S. 17:437, R.S. 17:1941, and 20 USCS 1232.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:1035 (April 2013), amended LR 41:371 (February 2015), LR 51:46 (January 2025).

§313. Non-Complex Health Procedures

- A. - B.2. ...

3. Prescribed Procedures.

a. Following the training provided for in Paragraph 2, no noncomplex health procedure, except screenings and activities of daily living such as toileting/diapering, toilet training, oral/dental hygiene, oral feeding, lifting, and positioning may be performed unless prescribed in writing by a physician licensed to practice medicine in the state of Louisiana or any other state of the United States.

- B.3.b. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:436(A)(2) and (E).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:1037 (April 2013), LR 51:46 (January 2025).

Chapter 5. Sports Injury and Health Management Program

§503. Injury Management Program Protocol for Educational Training on Serious Sports Injuries

- A. - B.1. ...

2. Each LEA shall distribute information relative to cardiac health including, at a minimum, the requirements that a student athlete who has or has had a cardiac health issue must meet before returning to participation in athletics.

a. The information will be provided to LEAs by LDOE.

b. Coaches, athletic trainers, athletic directors, or other appropriate school personnel shall collect parent signatures to verify receipt and understanding of the requirements.

c. Effective beginning with the 2025-2026 school year and subject to the availability of funds, any high school employee who serves as a coach for the school shall obtain and maintain certification in CPR, first aid, and AED use consistent with national evidence-based emergency cardiovascular care guidelines. This requirement is contingent upon the following:

1. The legislature appropriates funds in an amount necessary to implement the provisions of Subsection C of this Section; or

2. Grants or other private donations are made to the school to pay for the costs of implementing the provisions of Subsection C of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1299.186.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40:762 (April 2014), amended LR 47:451 (April 2021), LR 51:46 (January 2025).

Chapter 7. Behavioral Health Services

§701. Definitions

Applied Behavior Analysis Provider—a provider who is licensed, certified, or registered by the Louisiana Behavior

Analyst Board and is in good standing to provide applied behavior analysis services.

Applied Behavior Analysis Services—the design, implementation, and evaluation of systematic instructional and environmental modifications by an applied behavior analysis provider to produce socially significant improvements in behavior as described in the Behavior Analyst Practice Act.

Behavioral Health Evaluation—process and analysis that includes, but is not limited to, diagnosis, type of intervention, length of intervention, identification of student goals, identification of impact of student behavior on a student's educational program, and recommendations for applied behavior analysis services.

Behavioral Health Provider—a provider who is licensed by the Louisiana Department of Health or a health profession licensing board and is in good standing to provide behavioral health services in Louisiana including but not limited to a psychiatrist, psychologist, medical psychologist, licensed specialist in school psychology, marriage and family therapist, professional counselor, clinical social worker, applied behavior analysis provider, or a behavioral health provider organization licensed to provide behavioral health service in Louisiana.

Behavioral Health Services—services that include but are not limited to individual psychotherapy, family psychotherapy, psychotropic medication management, community psychiatric support and treatment, crisis intervention, and medically necessary applied behavior analysis services.

Evaluator—a licensed psychiatrist, psychologist, medical psychologist, licensed specialist in school psychology, professional counselor, marriage and family therapist, clinical social worker, or applied behavior analysis provider who is certified by the respective board of examiners in Louisiana to provide necessary evaluations and who is not an employee of the public school governing authority or LDOE.

Independent Third-Party Payor—an individual who serves as a case reviewer for Medicaid or commercial insurers.

Medically Necessary Services—any services provided for diagnosis, treatment, cure, or relief of a health condition, illness, injury, or disease except for clinical trials that are described within the policy, not for experimental, investigational, or cosmetic purposes, and are within the generally accepted standards of medical care in the community, not solely for the convenience of the insured, the insured's family, or the provider.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944 and R.S. 17:173.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:46 (January 2025).

§703. Behavioral Health Services for Students

A. A public school governing authority shall not prohibit a behavioral health service provider from providing medically necessary behavioral health services authorized by an independent third-party payor, including but not limited to Medicaid and commercial insurance, to a student at school during school hours if the student's parent or legal guardian requests such services from the provider.

B. Each public school governing authority shall adopt and make available to the public a policy to implement the provisions of this Section. The policy shall not create onerous requirements for behavioral health providers resulting in a delay or barrier to the provision of medically necessary services. The policy, at a minimum, shall include:

1. A behavioral health provider who provides services in accordance with this Section shall maintain general liability insurance coverage in an amount not less than one million dollars per occurrence and one million dollars per aggregate and provide a certificate of insurance naming the public school as the certificate holder.

2. No person who has been convicted of or pled nolo contendere to a crime listed in R.S. 15:587.1(C) shall be permitted to provide behavioral health services to a student at school during school hours. Prior to providing services in accordance with this Section, a behavioral health provider shall complete a criminal background check (CBC) conducted by the Louisiana State Police and shall pay all related costs. However, applied behavior analysis providers who are licensed, certified, or registered by the Louisiana Behavior Analyst Board, who provide documentation of having passed a CBC conducted by the Louisiana State Police and FBI, and who are in good standing with the board shall not be required by the public school governing authority to complete an additional CBC in order to begin providing behavioral health services at a school.

3. Behavioral health services shall be permitted during school hours if the student's parent or legal guardian presents a behavioral health evaluation performed by an evaluator as well as an assessment and authorized treatment plan performed by a behavioral health provider chosen by the parent or legal guardian, and the evaluation indicates that the services are necessary during school hours to assist the student with behavioral health impairments associated with a medical diagnosis that the evaluator determines are interfering with a student's ability to thrive in the educational setting.

4. A behavioral health evaluation or assessment presented by the parent or legal guardian of a student shall not be construed as an independent educational evaluation for the purposes of determining if a student meets the criteria established for eligibility for special education and related services.

5. A public school governing authority shall not prohibit a behavioral health evaluation, assessment, or authorized treatment plan from being performed on school property in order to establish medical necessity or deliver medically necessary services. Behavioral health services may be provided during any part of the school day, including any and all instructional time in English, reading, mathematics, and science. The school administrator and service provider shall work collaboratively to create a consistent schedule that meets the medical needs of the student and complies with the provider's ethical code of conduct. In developing the student's plan, consideration shall include impacts on the school's operations and a student's testing schedule. If the parties cannot agree, then the parties shall engage in a dispute resolution process set forth by LDOE in accordance with §705 of this Chapter.

6. The public school governing authority shall not enter into a contract or an exclusive agreement with a behavioral health provider that prohibits the parent or legal guardian from choosing the behavioral health provider for the student. The provisions of this Subparagraph shall not impair any extant contract on the effective date of this Section, or the renewal thereof.

7. The cost of all behavioral health services provided to a student pursuant to this Section shall be the sole responsibility of the parent or legal guardian, individually or through an applicable health insurance policy, Medicaid, or other third-party payor, other than the public school governing authority, that has made funds available for the payment for the services provided.

8. While on a school campus, a behavioral service provider shall comply with, and abide by, the terms of any IEP, IAP, Section 504 Plan, Behavior Management Plan, or Individual Health Plan applicable to a student who is a patient of the provider. The services furnished by a provider shall be incorporated into a written treatment plan applicable to the student.

9. The parent or legal guardian of a student receiving services from a behavioral service provider shall be required to execute a "consent to release information form" between the provider and the public school governing authority.

10. The public school governing authority shall establish reporting requirements for a behavioral health provider related to the student's progress and student and school safety concerns as related to the student's educational program.

11. The public school governing authority may establish sanctions, including termination of a provider's authorization to provide services on any school campus, against a behavioral health provider for failure to comply with the policies established by the public school governing authority.

C. The failure of a public school governing authority to adopt a policy shall not be cause to prohibit the provision of behavioral health services to a student in accordance with this Section.

D. Any behavioral health evaluation, assessment, or treatment plan administered by a public school governing authority shall not supersede the behavioral health evaluation, assessment, or treatment plan provided by an independent behavioral health provider of a student's parent's choosing.

E. Any applied behavior analysis services provided by the public school governing authority in accordance with this Section shall be delivered either by behavioral health providers licensed, certified, or registered by the Louisiana Behavior Analyst Board in accordance with R.S. 37:3701 et seq. or behavioral health providers providing services in accordance with R.S. 37:3715.

F. Nothing in this Chapter shall be construed to supersede any of the following:

1. the authority of the student's IEP team or Section 504 committee to determine appropriate services for a student in accordance with applicable federal and state law;

2. the provisions of the Behavioral Health Service Provider Licensing Law or any regulation promulgated by the Louisiana Department of Health pursuant to such law; or

3. provisions of the Behavior Analyst Practice Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944 and R.S. 17:173.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:46 (January 2025).

§705. Behavioral Health Service Complaint

Procedures

A. Complaint Procedures. The LDOE shall establish written procedures for the purpose of resolving any complaint which is filed by an affected individual alleging that a public school governing authority has violated a requirement of R.S. 17:173 or this Chapter and that meets the requirements herein by providing for the filing of a formal written complaint with the LDOE.

B. The written complaint shall include the following information:

1. a statement that a public school governing authority has violated a requirement of R.S. 17:173 or this Chapter;
2. the facts on which the statement is based;
3. the signature and contact information for the complainant;
4. if alleging violations relevant to a specific student,
 - a. the name and address of the residence of the student;
 - b. the name of the school the student is attending;
 - c. in the case of a homeless child or youth, as identified in Section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)) available contact information for the student and the name of the school the student is attending;
 - d. a description of the nature of the problem of the student, including facts relating to the problem; and
 - e. a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.
5. a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.

C. The complaint shall allege a violation that occurred not more than one year prior to the date that the complaint is received by LDOE.

D. Upon receipt of a valid complaint, the LDOE shall review the allegations as submitted and shall provide written notice to the public school governing authority serving the student, including the following:

1. a request for specific information needed by LDOE to conduct its independent investigation of the complaint;
2. reasonable timelines established for providing such information to the LDOE; and
3. a statement of the public school governing authority's opportunity to respond to the complaint, including the opportunity to provide a proposal to resolve the complaint, at their discretion.

E. The LDOE shall provide written notice to the complainant including a statement of the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint.

F. The LDOE shall review all relevant information and make an independent determination as to whether the public school governing authority is in violation of R.S. 17:173 or this Chapter and, if such violation is determined, the actions by which the public school governing authority will be required to correct the violation.

G. Final Decision. Within 60 days of the LDOE receipt of a complaint, the LDOE shall issue a written decision to the complainant and the public school governing authority that addresses each remaining allegation of the complaint and contains:

1. findings of fact and conclusions; and
2. the reason for the LDOE final decision.

H. Time Extension. The LDOE shall permit an extension of the 60-day time limit only if:

1. Exceptional circumstances exist with respect to a particular complaint; or
2. The parent, individual, or organization and the public school governing authority involved agree to extend the time to engage in negotiations or other means of non-adversarial dispute resolution.

I. The decision of the LDOE in accordance with this Section is a final decision and is not subject to appeal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944 and R.S. 17:173.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:48 (January 2025).

Tavares A. Walker
Executive Director

2501#028

RULE

Board of Elementary and Secondary Education

Bulletin 741—Louisiana Handbook for School Administrators—School Administration
(LAC 28: CXV.333, 337, Chapter 11, and Chapter 23)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28: CXV in *Bulletin 741—Louisiana Handbook for School Administrators*. The amendments align BESE policy with legislation enacted by the 2024 Regular Legislative Session. The revisions adopt requirements for implementation of Act 216: Mandatory reporters; Act 324: Behavior health intervention and referral; Act 352: Use of vapes at school; Act 375: School nurse training on sickle cell disease; Act 428: 10 point grading scale; Act 680: Student names; Acts 686 and 716: Required Instruction and Trainings; Act 715: Home study participants to school activities; and Act 780: Discipline/tape mouth. Further changes waive LEAP 2025 civics test score inclusion in final grades during the transition year, add a process for instructional minutes waivers near the end of the school year, add the requirement for a local School Health Advisory Council in accordance with R.S. 17: 17.1, and revise credit recovery units for graduation. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 3. Operation and Administration **§333. Instructional Time**

A. - A.1.b. ...

c. When the request is submitted such that consideration by BESE would occur after the scheduled end of the school year, the state superintendent shall consult with the board president and may approve the request. The approval shall be presented for ratification at the next convening BESE meeting.

A.2. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:154.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1261 (June 2005), amended LR 39:2197 (August 2013), LR 44:263 (February 2018), LR 49:32 (January 2023), LR 51:48 (January 2025).

§337. Written Policies and Procedures

A. - B.4. ...

5. - 6. Repealed.

7. ...

8. Repealed.

9. - 23. ...

24. Repealed.

25. - 29. ...

30. - 32.d. Repealed.

33. - 34. ...

35. Repealed.

36. - 42. ...

43. use of certain names and pronouns for students and employees in accordance with R.S. 17:2122;

44. school nurse in-service training relative to sickle cell disease;

45. allowing students enrolled in approved home study programs to try out or apply for extracurricular activities or interscholastic athletics in accordance with R.S. 17:176.2.

C. Each LEA shall have written policies and procedures regarding health and safety in accordance with LAC 28:CLVII *Bulletin 135*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(29), R.S. 17:81, R.S. 17:240, R.S. 17:100.8, 17:184, and R.S.17:437.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1261 (June 2005), amended LR 33:429 (March 2007), LR 35:1101 (June 2009), LR 36:1224 (June 2010), LR 37:1141 (April 2011), LR 37:1380, 1380 (May 2011), LR 37:2134 (July 2011), LR 38:40, 41 (January 2012), LR 39:2197 (August 2013), LR 40:2530 (December 2014), LR 48:1273 (May 2022), LR 49:33 (January 2023), LR 49:250 (February 2023), repromulgated LR 49:855 (May 2023), amended LR 50:175 (February 2024), LR 51:49 (January 2025).

Chapter 11. Student Services

§1107. Entrance Requirements

A. Enrollment.

A.1. - A.1.a. ...

b. a record of immunization or parent dissent; and

A.1.c. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:151.3, 17:170, and 17:222.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1274 (June 2005), amended LR 33:2353 (November 2007), LR 39:2206 (August 2013), LR 51:49 (January 2025).

§1135. Child Abuse

A. Any school employee, including a school resource officer, having reasonable cause to believe that a student has been mentally, physically, or sexually abused shall report these facts to the appropriate authorities.

B. ...

C. An employer shall not discriminate or retaliate against an employee who is a mandatory reporter for complying with reporting requirements.

D. An employer shall not enact policies that prohibit or limit mandatory reporting to the Louisiana Department of Children and Family Services and/or state or local law enforcement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 14:403.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005), amended LR 51:49 (January 2025).

§1143. Prohibition against the Use of Tobacco and Marijuana

A. The use of any tobacco, tobacco product, marijuana product, or chemical derivatives thereof, including but not limited to smoked or smokeless products and electronic devices, in any school building, on any school property, or on any school bus or school vehicle used to transport students is prohibited.

B. The prohibition is applicable to all school employees, students, and visitors. No person shall smoke or carry a lighted cigar, cigarette, pipe, or any other form of smoking object or device on the grounds of any public or private elementary or secondary school property, except in an area specifically designated as a smoking area.

C. This prohibition shall not be applicable to any tobacco cessation product approved by the U.S. Food and Drug Administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:240.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005), amended LR 51:49 (January 2025).

§1155. School Health Advisory Council

A. Each city, parish, and other local school board shall establish a school health advisory council to advise the board on physical activity for students, physical and health education, nutrition, and overall student health.

B. The council may advise the board on issues relative to compliance with school vending machine restrictions, use of physical fitness assessment results, and school recess policies.

C. The council members shall be appointed by the school board and shall include parents of students and individuals representing the community. All council members shall serve without compensation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:17.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:49 (January 2025).

Chapter 13. Discipline

§1315. Corporal Punishment

A. - C. ...

1. Taping a student's mouth shut or otherwise restricting a student's airway in any manner is prohibited regardless of parental consent.

D. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81.6, R.S. 17:223, and R.S. 17:416.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 39:2212 (August 2013), LR 43:2483 (December 2017), LR 50:177 (February 2024), LR 51:49 (January 2025).

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2302. Uniform Grading Policy

A. LEAs shall use the following uniform ten point grading scale for students enrolled in all grades K-12 for which letter grades are used.

1. 90-100 points is an A.
2. 80-89 points is a B.
3. 70-79 points is a C.
4. 60-69 points is a D.
5. 0-59 points is an F.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7(31)(A).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2390 (August 2011), amended LR 39:2213 (August 2013), LR 51:50 (January 2025).

§2318. The TOPS University Diploma

A. - A.6.a.i. ...

ii. U.S. history scores from the fall and spring administrations in 2017-2018;

iii. biology scores from the fall and spring administrations in 2018-2019; and

iv. civics scores from the fall and spring administration in 2024-2025.

A.6.b. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 36:1486 (July 2010), LR 37:547 (February 2011), LR 37:1128 (April 2011), LR 37:2129 (July 2011), LR 37:2132 (July 2011), LR 37:3193 (November 2011), LR 38:754, 761 (March 2012), LR 38:1001 (April 2012), LR 38:1584 (July 2012), LR 40:994 (May 2014), LR 40:1328 (July 2014), LR 40:1679 (September 2014), LR 40:2525 (December 2014), LR 41:915 (May 2015), LR 41:1482 (August 2015), LR 41:2126 (October 2015), LR 42:232 (February 2016), LR 42:1062 (July 2016), LR 42:1878 (November 2016), LR 42:2176 (December 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2483 (December 2017), LR 44:263 (February 2018), LR 44:1868 (October 2018), repromulgated LR 44:1998 (November 2018), amended LR 45:1454 (October 2019), LR 46:556 (April 2020), LR 47:860 (July 2021), amended LR 48:33 (January 2022), LR 48:39 (January 2022), repromulgated LR 48:1092 (April 2022), amended LR 48:2098 (August 2022), LR 48:2560 (October 2022), LR 49:642 (April 2023), LR 49:862 (May 2023), LR 50:480 (April 2024), LR 51:50 (January 2025).

§2319. The Career Diploma

A. - B.7.a.i. ...

ii. U.S. history scores from the fall and spring administrations in 2017-2018;

iii. biology scores from the fall and spring administrations in 2018-2019; and

iv. civics scores from the fall and spring administrations in 2024-2025.

B.7.b. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:24.4, 17:183.2, 17:183.3, 17:274, 17:274.1, and 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December

2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 35:1230 (July 2009), LR 35:1876 (September 2009), LR 35:2321 (November 2009), LR 35:2750 (December 2009), LR 36:1490 (July 2010), LR 37:548 (February 2011), LR 37:1130 (April 2011), LR 37:2130 (July 2011), LR 37:3197 (November 2011), LR 38:761 (March 2012), LR 38:1005 (April 2012), LR 40:2522 (December 2014), LR 41:1482 (August 2015), LR 41:2594 (December 2015), LR 42:232 (February 2016), LR 43:1287 (July 2017), LR 43:2132 (November 2017), LR 43:2484 (December 2017), LR 44:1868 (October 2018), LR 45:1747 (December 2019), LR 46:557 (April 2020), LR 46:1086 (August 2020), LR 47:860 (July 2021), LR 48:39 (January 2022), repromulgated LR 48:1093 (April 2022), LR 48:2560 (October 2022), LR 49:252 (February 2023), LR 49:643 (April 2023), repromulgated LR 49:858 (May 2023), LR 50:482 (April 2024), amended LR 50:972 (July 2024), LR 51:50 (January 2025).

§2324. Credit Recovery

A. - B.1. ...

2. A maximum of seven credit recovery units may be applied towards graduation requirements with no more than two annually. If additional credits are utilized, the rationale must be reported to LDOE.

B.2.a. - b. Repealed.

3. - 8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2352 (November 2007), amended LR 38:3134 (December 2012), amended LR 39:2216 (August 2013), LR 39:3260 (December 2013), LR 46:1084 (August 2020), LR 51:50 (January 2025).

Tavares A. Walker
Executive Director

2501#029

RULE

Board of Elementary and Secondary Education

Bulletin 741 (Nonpublic)—Louisiana Handbook for
Nonpublic School Administrators
Nonpublic Schools Legislative Response
(LAC 28:LXXIX.119, 121, 903, 1101,
1303, 1309, 1311, and 1501)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:LXXIX in *Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators*. The proposed amendments align BESE policy with legislation enacted by the 2024 Regular Legislative Session. The revisions adopt requirements for implementation of Act 216: mandatory reporters; Act 331: print “988” on student ID cards; Act 352: use of vapes/marijuana at school; Act 460: vaccine status discrimination; Act 674: COVID vaccine not required for enrollment or attendance; and Acts 686 and 716: required instruction and training. This Rule is hereby adopted on the day of promulgation.

Title 28
EDUCATION

Part LXXIX. Bulletin 741 (Nonpublic)—Louisiana
Handbook for Nonpublic School Administrators

Chapter 1. Operation and Administration

§119. Written Policies

A. - B. ...

C. - C.4. Repealed.

D. - E.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, R.S. 17:416.11, R.S. 44:411, and R.S. 17:437.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2343 (November 2003), amended LR 31:3074 (December 2005), LR 38:1008 (April 2012), LR 39:1439 (June 2013), LR 48:1273 (May 2022), LR 49:36 (January 2023), LR 50:972 (July 2024), LR 51:51 (January 2025).

§121. Emergency Planning and Procedures

A. - B.1.c. ...

C. Preventative Programs. Each nonpublic school shall develop, as a component of the Crisis Management and Response Plan, one hour of training in each of the following areas. The school selecting and providing the initial training must provide the educator with a certificate containing the educator's name, date of completion, length of training, and topic covered. The educator and school shall maintain documentation of the training, once completed, which is sufficient to satisfy this requirement upon transfer to another school or school system.

1. communicable diseases and universal precautions;
2. adverse childhood experiences;
3. mental health;
4. bullying;
5. first aid; and
6. suicide prevention.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, R.S. 17:411, R.S. 17:416.16, and R.S. 29:726.3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2343 (November 2003), amended LR 31:3074 (December 2005), LR 40:766 (April 2014), LR 51:51 (January 2025).

Chapter 9. Student Services

§903. Entrance Requirements

A. - A.1. ...

2. a record of immunization or parent dissent; and

A.3. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), (15); R.S. 17:7(6); R.S. 17:10; R.S. 17:22(6); R.S. 17:391.1-391.10; R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2347 (November 2003), amended LR 31:3078 (December 2005), LR 51:51 (January 2025).

Chapter 11. Health

§1101. Immunization

A. Each student entering any school within the state for the first time, at the time of registration or entry, shall present satisfactory evidence of immunity to or immunization against vaccine-preventable diseases

according to a schedule approved by the Office of Public Health (OPH), Department of Health and Hospitals (DHH), parental dissent, or shall present evidence of an immunization program in progress.

A.1. - H. ...

I. No teacher, school employee, or administrator shall discriminate based on a student's vaccine status to determine eligibility or participation in any classroom, school, or extracurricular activity, including organizing seating arrangements or issuing surveys to students relative to vaccine status.

J. No person shall be required to receive a COVID-19 vaccine as a condition of initial enrollment or continuing attendance at any nonpublic school or facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, 44:411, 17:170(D), and 17:170(A)(1).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2348 (November 2003), amended LR 31:3078 (December 2005), LR 35:1232 (July 2009), LR 35:2348 (November 2009), LR 39:1443 (June 2013), repromulgated LR 46:1674 (December 2020), amended LR 50:973 (July 2024), LR 51:51 (January 2025).

Chapter 13. Preventive Programs

§1303. Abuse

A. Any school employee, including a school resource officer, having reasonable cause to believe that a student has been mentally, physically, or sexually abused shall report these facts to the appropriate authorities.

B. ...

C. An employer shall not discriminate or retaliate against an employee who is a mandatory reporter for complying with reporting requirements.

D. An employer shall not enact policies that prohibit or limit mandatory reporting to the Louisiana Department of Children and Family Services and/or state or local law enforcement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), (15); R.S. 17:7(6); R.S. 17:10; R.S. 17:22(6); R.S. 17:391.1-391.10; R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2348 (November 2003), amended LR 31:3079 (December 2005), LR 51:51 (January 2025).

§1309. Suicide Prevention

A. - A.7. Repealed.

B. The governing authority of each nonpublic secondary school that issues student identification cards shall have printed on the cards and shall have posted on the school website the following information:

1. the National Suicide Prevention Lifeline hotline number, "988"; and

2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, 17:411, and 17:437.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:38 (January 2019), amended LR 45:1055 (August 2019), amended LR 45:1747 (December 2019), LR 50:174 (February 2024), LR 51:51 (January 2025).

§1311. Bullying

A. - A.2.c. ...

B. - B.5. Repealed.

C. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:246 (February 2023), repromulgated LR 49:852 (May 2023), amended LR 50:973 (July 2024), LR 51:51 (January 2025).

Chapter 15. Building Operation and Maintenance

§1501. Building and Maintenance

A. - B. ...

C. Use of any tobacco, tobacco product, marijuana product, or chemical derivatives thereof, including but not limited to smoked or smokeless products and electronic devices, in any school building, on any school property, or on any school bus or school vehicle used to transport students is prohibited. The prohibition is applicable to all school employees, students, and visitors. This prohibition shall not be applicable to any tobacco cessation product approved by the U.S. Food and Drug Administration.

D. No person shall smoke or carry a lighted cigar, cigarette, pipe, or any other form of smoking object or device on the grounds of any nonpublic elementary or secondary school property, except in an area specifically designated as a smoking area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), (15); R.S. 17:7(6); R.S. 17:10; R.S. 17:22(6); R.S. 17:391.1-391.10; R.S. 17:411, R.S. 17:240.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2348 (November 2003), amended LR 31:3079 (December 2005), LR 51:52 (January 2025).

Tavares A. Walker
Executive Director

2501#030

RULE

Board of Elementary and Secondary Education

Bulletin 1566—Pupil Progression Policies and Procedures
Numeracy and High Dosage Tutoring
(LAC 28:XXXIX.700, 701, and 705)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:XXXIX in *Bulletin 1566—Pupil Progression Policies and Procedures*. The amendments align BESE policy with legislation enacted during the 2024 Regular Legislative Session. The revisions adopt requirements for implementation of Act 650: K-3 numeracy and Act 771: high dosage tutoring. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part XXXIX. Bulletin 1566—Pupil Progression Policies and Procedures

Chapter 7. Promotion and Support Policy

§700. Support Standard for Grades Kindergarten-3

A. ...

1. Beginning with the 2026 - 2027 school year and beyond, each LEA shall identify all students in kindergarten, first, second, and third grades who score below grade level on the numeracy screener.

B. The school shall notify the parents or legal guardian of students identified as scoring below grade level pursuant to this Section in writing regarding the student's performance within 15 days of identification. Such notification shall:

1. Provide information on activities that can be done at home to support the student's literacy and/or numeracy proficiency.

2. Provide information about supports and interventions that will be provided by the school to support the student's literacy and/or numeracy proficiency.

B.3. - C. ...

1. Repealed.

D. Beginning no later than the 2026 - 2027 school year, a student in kindergarten through third grade, within 30 days of being identified as being below grade level based on the numeracy screener shall receive an individual numeracy improvement plan. The plan shall be created by the teacher, principal, other pertinent school personnel, and the parent or legal guardian; describe the evidence-based numeracy intervention services the student will receive; and include suggestions for strategies parents can use at home.

E. The school shall provide mid-year and end-of-year updates to the parent or legal guardian of students identified as below grade level pursuant to this Section.

F. The LDOE may audit a random sampling of the plans required by this Section in each LEA. The plans may be consolidated into a single expanded academic support plan in accordance with §705 of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6; R.S. 17:7; R.S. 17:24.4; and R.S. 14:24.10.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1760 (July 2022), LR 49:245 (February 2023), repromulgated LR 49:851 (May 2023), amended LR 51:52 (January 2025).

§701. Promotion and Support Standard for Grades 3-7

A. - C.2. Repealed.

D. - F.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7; R.S. 17:24.4; R.S. 17:24.9; R.S. 17:24.10 and R.S. 17:24.11.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:481 (March 2018), amended LR 48:1760 (July 2022), LR 50:679 (May 2024), LR 51:52 (January 2025).

§705. Supports for Students

A. - A.3.a. ...

b. teachers shall be rated "proficient", "highly effective," or "exemplary" pursuant to the teacher's most recent evaluation or have achieved a value-added rating of "proficient", "highly effective", or "exemplary" on the most recent evaluation;

B. Student Level Plans

1. The individual academic support plan outlined in this Section shall be provided to identified students by the LEA and will be differentiated based on student needs. The individual academic support plan should provide intervention information and outline progress monitoring for each student.

2. LEAs shall design and implement additional instructional strategies to move the students to grade-level proficiency by providing at least 2 of the following, which shall be documented in the expanded academic support plan.

a. The student is placed in the classroom of a teacher who has been rated “highly effective” or “exemplary” pursuant to his/her most recent evaluation or has achieved a value-added rating of “highly effective” or “exemplary” pursuant to his/her most recent evaluation, or has documented evidence derived from state summative assessments of improving the academic performance of improving the academic performance of students having academic support plans in the past.

2.b. - 3. ...

4. The individual academic support plan should be considered the holistic plan that is differentiated based on student need and could include one or more of the following:

a. an individual reading improvement plan, in accordance with §700 of this Chapter;

b. an individual numeracy improvement plan, in accordance with §700 of this Chapter;

c. the individual student plan required by Subsection C of this Section;

d. the individual student plan required by §701 of this Chapter;

5. The LDOE shall provide a template to LEAs which will support the creation of the individual academic support plan for identified students.

6. An individual academic support plan developed to outline support provided for a fifth grade student in English language arts or mathematics will remain in place, updated annually, until the student achieves a score of “Basic” or above in each of the subjects that initially led to the development of the plan.

C. - C.5. Repealed.

D. Expanded Academic Tutoring Support.

1. Each LEA shall identify kindergarten through fifth grade students who fail to achieve mastery in reading or math in accordance with LAC 28:XI (*Bulletin 111*).

2. Not later than September 15 of each year, LEAs shall submit to the LDOE a system-level plan and supporting budget to provide expanded support to identified students.

a. The LDOE shall review each plan submitted for compliance with federal and state regulations and provide feedback as necessary for compliance with applicable regulations.

b. The LEA must make applicable corrections within 10 school days of the date on which LDOE feedback was sent and return the updated plan and budget to LDOE.

3. Students identified as needing expanded academic support shall be provided with one of the following options:

a. prioritized placement in a class taught by a teacher labeled as “highly effective” or higher in accordance with LAC 28:CXLVII (*Bulletin 130*), if available; or

b. high dosage tutoring to commence no later than thirty days after the student is identified as needing expanded academic support or, for students identified during the summer, within the first 30 days of the school year.

4. High-dosage tutoring provided shall meet all of the following criteria:

a. incorporate direct instruction by tutors using formative assessment aligned with grade-level content and tier 1 classroom instruction;

b. be sustained for a minimum of 10 weeks;

c. be provided, at least 3 times per week, in approximately 30 minute sessions, which shall be imbedded in the school day;

d. use assessments throughout the school year to monitor student progress;

e. be based on high-quality instructional materials that are aligned with the state content standards and are specifically designed for supplemental instruction;

f. be individualized and provided at a ratio of not higher than 4 students to 1 tutor;

g. be provided by a high-quality, consistent tutor, or by a limited, consistent set of tutors throughout the student’s supplemental instruction period; and

h. be provided in accordance with guidelines on research-based best practices and effective accelerated instruction strategies developed and provided by LDOE.

5. *High Quality Tutor*—an individual who meets at least one of the following criteria:

a. a person with training in using high quality instructional materials and who receives ongoing oversight while providing the high-dosage tutoring;

b. staff of a high quality tutoring provider;

c. current or retired teachers;

d. trained paraprofessionals.

6. Within 15 calendar days of a student being enrolled in high-dosage tutoring, the parent shall be provided a written expanded academic support plan detailing the high-dosage tutoring that will be provided, including information regarding who will provide the instruction and when the instruction will be provided. The plan shall include specific dates from progress reports and information on the parent role in accelerating student learning. The information shall be provided in a way that is accessible to the parent or legal guardian.

7. Each LEA shall provide a report by June 1 of each year to the LDOE on the following data regarding eligible and participating students:

a. the number of students identified as needing, and the number of students provided, expanded academic support, and related student metrics including tutoring subject, grade level, attendance, dosage, prior performance on the state assessment, and demographic information;

b. the number of students identified as needing, and the number of students provided, expanded academic support, related student metrics including tutoring subject, grade level, attendance, dosage, prior performance on the state assessment, demographic information for two or more consecutive years;

c. a list of high quality tutoring providers and any teachers used by the LEA to offer expanded academic support;

d. a summary of how the school day has been restructured to offer the expanded academic support; and

e. the amount and source of private, federal, state, or local funds spent on providing expanded academic support and how the funding was used by the LEA to provide high dosage tutoring.

8. LEAs shall utilize available state and federal funds to implement expanded academic support. If such funding is not available, a local school board shall not be obligated to provide funding to continue the expanded academic support.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17.7, and 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2005 (September 2010), amended LR 40:2533 (December 2014), LR 44:482 (March 2018), LR 44:1004 (June 2018), LR 46:18 (January 2020), LR 49:245 (February 2023), LR 51:52 (January 2025).

Tavares A. Walker
Executive Director

2501#031

RULE

Board of Elementary and Secondary Education

Bulletin 1929—Louisiana Accounting and Uniform Governmental Handbook
Assignment of Chief Operating Officer
(LAC 28:XLI.1503)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) *et seq.*, the Board of Elementary and Secondary Education (BESE) has amended LAC 28:XLI in *Bulletin 1929—Louisiana Accounting and Uniform Governmental Handbook*. The amendments align BESE policy with legislation enacted by the 2024 Regular Legislative Session, adopting requirements for implementation of Act 368 regarding the assignment of a chief operating officer to assist a school system that is in noncompliance with the 70 percent instructional expenditure requirement of the MFP formula. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part XLI. Bulletin 1929—Louisiana Accounting and Uniform Governmental Handbook

Chapter 15. Expenditure Requirements

§1503. Assignment of Chief Operating Officer

A. The state superintendent of education may provide for the assignment of a chief operating officer to any city, parish, or other local school system that fails for two consecutive years to comply with any minimum instructional expenditure requirement contained in the Minimum Foundation Program formula as adopted by BESE and approved by the legislature.

B. Services of a chief operating officer shall be obtained through a contract for a length of time as determined necessary by the superintendent. The officer shall not be a permanent employee of the LDOE and shall not receive a state salary or associated benefits.

C. The officer shall research the financial position and practices of the system including factors contributing to the noncompliance with the minimum expenditure requirement contained in the Minimum Foundation formula. The officer shall submit a written report of the findings and recommendations generated from the research to the local school board and the state superintendent of education. The findings and recommendations for the system shall be included in any report made to BESE relative to system compliance with the minimum expenditure requirement.

D. The local school board shall develop a plan for compliance based on the officer's recommendations and shall submit the plan to the state superintendent in accordance with the timelines set by LDOE. The plan is

subject to approval of the superintendent prior to implementation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7, and 17:22.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:54 (January 2025).

Tavares A. Walker
Executive Director

2501#032

RULE

Board of Elementary and Secondary Education

Let Teachers Teach Legislation and Updates
(LAC 28:XI.907 and 909, LAC 28:LIX.309, and LAC 28:CXV.333, and 337, Chapter 11, 1315, and Chapter 23)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) *et seq.*, the Board of Elementary and Secondary Education (BESE) has amended amend LAC 28:XI in *Bulletin 111—The Louisiana School, District, and State Accountability System*, LAC 28:CXV in *Bulletin 103—Louisiana Health Education Content Standards*, and LAC 28:CXV in *Bulletin 741—Louisiana Handbook for School Administrators*. The amendments align BESE policy with legislation enacted in the 2024 Regular Legislative Session. The revisions adopt requirements for implementation of Act 337: Mandatory expulsion; Act 313: Electronic telecommunication devices; Act 324: Behavioral and emotional challenges program; Act 331: Print 988 on ID cards; Act 386: Truancy; Act 400 Student Discipline and Teacher Bill of Rights; and Acts 686 and 716: Required instruction and training. Further revisions include policy updates in response to the recommendations of the Let Teachers Teach Workgroup. The changes remove discipline statistics from criteria for assigning intervention status in the state accountability system and update policy regarding lesson planning and instruction. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part XI. Accountability/Testing

Subpart 1. Bulletin 111—The Louisiana School, District, and State Accountability System

Chapter 9. Urgent Intervention and Comprehensive Intervention

§907. Urgent Intervention Required

A. ...

B. - B.2. Repealed.

C. To be no longer labeled "urgent intervention required," the school must not earn the equivalent of "urgent intervention required" for the same subgroup for two consecutive years.

D. - D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:456 (March 2018), amended LR 47:448 (April 2021), LR 51:54 (January 2025).

§909. Comprehensive Intervention Required

A. - A.2. ...

B. Beginning in 2019-2020 (2020 SPS), a school that is labeled “urgent intervention required” for a period of three consecutive years for the same subgroup will be labeled “comprehensive intervention required-,” unless in the current year the school has improved the subgroup score for which it has earned the label, such that the school no longer has a subgroup score equivalent to a “F”.

C. - D. ...

E. 2020-2021 CIR Label.

1. - 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:456 (March 2018), amended LR 47:448 (April 2021), LR 51:55 (January 2025).

Title 28

EDUCATION

Part LIX. Bulletin 103—Louisiana Health Education Content Standards

Chapter 3. Teaching and Learning of Health Education

§309. Requirements

A. - C. ...

D. Grades 9-12: In order to graduate from high school, public school students must earn a 1/2 unit in health education (LAC 28:CXV.2319.C). A minimum of 3863 minutes of health instruction shall be taught (LAC 28:CXV.907.C). Nonpublic schools require health and physical education for graduation in accordance with LAC 28:CXV.2109.C.

E. ...

F. - K. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Office of Student and School Performance, LR 28:1944 (September 2002), amended by the Board of Elementary and Secondary Education, LR 37:2099 (July 2011), LR 51:55 (January 2025).

Title 28

EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 3. Operation and Administration

§339. Emergency Planning and Procedures

A. - J.3. ...

K. Preventative Programs. Each LEA shall develop, as a component of the Crisis Management and Response Plan, one hour of training in each of the following areas. The school selecting and providing the initial training must provide the educator with a certificate containing the educator’s name, date of completion, length of training, and topic covered. The educator and school shall maintain documentation of the training, once completed, which is sufficient to satisfy this requirement upon transfer to another LEA.

1. communicable diseases and universal precautions;
2. adverse childhood experiences;
3. mental health;
4. bullying;
5. first aid; and
6. suicide prevention.

L. Each LEA shall provide thirty minutes of firearm safety instruction during second grade, using Eddie Eagle GunSafe program.

M. Each school shall designate and train appropriate school personnel in accordance with LAC 28:CLVII (*Bulletin 135*) in, at a minimum, the following areas:

1. Medication administration;
2. Diabetes management;
3. Injury management;
4. Non-complex medical procedures; and
5. Cardiac arrest, CPR, and AED.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:154.1, R.S. 29:726.5, et seq., R.S. 40:1137.3, and 17:416.16.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1262 (June 2005), amended LR 39:3258 (December 2013), LR 41:372 (February 2015), LR 45:36 (January 2019), LR 45:1746 (December 2019), LR 50:175 (February 2024), LR 51:55 (January 2025).

§353. Instruction and Training

A. Each LEA shall provide age and grade level appropriate awareness and/or prevention information through online, in-person, or written communication sources regarding the following:

1. High School.
 - a. safe haven relinquishment law;
 - b. substance abuse;
 - c. adoption;
 - d. shaken baby syndrome;
 - e. eating disorders;
 - f. dating violence; and
 - g. organ donation.
2. Middle School.
 - a. eating disorders;
 - b. dating violence.
3. Elementary.
 - a. Litter; and
4. All Grades, as appropriate.
 - a. child assault;
 - b. substance abuse;
 - c. mental health and wellness;
 - d. water safety;
 - e. spread of communicable diseases; and
 - f. internet and cell phone safety.

B. Each LEA shall implement a process to annually review training required of educators to minimize repetition of satisfactorily completed training and, where possible, provide for pre-test exemption opportunities for experienced teachers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7(29), R.S. 17:81, R.S. 17:240, R.S. 17:100.8, 17:184, and R.S.17:437.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:55 (January 2025).

Chapter 5. Personnel

§519. Teacher Bill of Rights

A. - A.5. ...

6. a teacher has the right to have a student immediately removed from the classroom and placed in the custody of the principal or designee when a student’s behavior prevents the orderly instruction of other students or poses an immediate threat to the safety or physical well-being of any student or teacher;

7. - 10. ...

11. a teacher has the right to be treated with civility and respect as provided in R.S. 17:416.12.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.18.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1268 (June 2005), amended LR 35:1100 (June 2009), LR 39:3259 (December 2013), LR 51:55 (January 2025).

Chapter 11. Student Services

§1117. Child Welfare and Attendance

A. - F. ...

G. The parent or legal guardian of a truant student shall ensure that the student makes up missed school work by attending after-school tutoring session, weekend make-up class, or other remediation opportunities, as determined by the LEA, until the student has completed missed assignments.

1. The parent shall also attend meetings relative to the student's progress at the school on at least a monthly basis until the student has completed missed school work

2. The parent shall attend any assistance program conducted by the school district that provides information on supports to families.

3. Failure to comply may subject a parent to penalties in accordance with R.S. 14:92.2.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:232, R.S. 17:233, and R.S. 17:235.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1276 (June 2005), amended LR 34:608 (April 2008), LR 35:1475 (August 2009), LR 39:2207 (August 2013), LR 51:56 (January 2025).

§1127. Preventive Programs

A. - C. ...

D. - D.7. Repealed.

E. The governing authority of each public secondary school that issues student identification cards shall have printed on the cards and shall post on the school website the following information:

1. the National Suicide Prevention Lifeline hotline number, "988"; and

2. ...

F. Each LEA shall adopt regulations to implement a program regarding behavioral and emotional challenges and referral for assessment. The program shall:

1. Assist school personnel in identification of signs and symptoms of student behavior that may indicate a student could be at risk of escalation into aggression, disruption, disciplinary actions including suspension or expulsion, or juvenile delinquency.

2. Designate a specific employee at each school who shall be responsible for identifying behavioral and mental health support services available in the community and, when appropriate, facilitating referral to services for assessment and treatment.

3. Provide consultation with the principal or designee and employee designated in Paragraph 2 of this Subsection to determine the likelihood that a student's behavior could be attributable to behavioral or emotional challenges after any second disciplinary suspension of a student during the same school year.

4. Require that when behavior rises to the level in which supportive services could be beneficial, a parent conference is held to discuss the behavior and referral of the student and family to support services for assessment and treatment.

5. Submit an annual report to LDOE and the House and Senate Committees on Education by July first that reflects data from the previous school year regarding:

a. the number of students identified as possibly having behavioral or emotional challenges;

b. the number of students for which a conference was scheduled in accordance with this Subsection; and

c. the number of students referred for assessment and supportive services in accordance with this Subsection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:13.1, R.S. 17:283, and R.S. 17:403.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1278 (June 2005), amended LR 39:2208 (August 2013), LR 45:1746 (December 2019), LR 50:177 (February 2024), LR 51:56 (January 2025).

§1129. Dating Violence

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40:2529 (December 2014), repealed LR 51:56 (January 2025).

§1141. Electronic Telecommunication Devices

A. No student, unless authorized by the school principal or his/her designee, shall use or operate any facsimile system, radio paging service, mobile telephone service, intercom, or electro-mechanical paging system, in any public school building or school grounds or in any school bus.

B. Beginning with the 2024-2025 school year, no student shall possess, on his person, an electronic telecommunication device throughout the instructional day, including wearable technology capable of sending or receiving text messages and other similar notifications.

1. If a student brings an electronic device in any public elementary or secondary school building or on the grounds thereof during an instructional day, the electronic device shall either be turned off and properly stowed away for the duration of the instructional day or prohibited from being turned on and used during the instructional day.

2. The provisions of Subsection B of this Section are not applicable to any student whose IEP, IAP, Section 504 Plan, or IHP requires the use of an electronic telecommunication device.

C. Nothing in this Section shall prohibit the use and operation by any person, including students, of any electronic telecommunication device in the event of an emergency in which there is actual or imminent threat to public safety.

1. - 2. Repealed.

D. No later than January 1, 2025, each LEA shall adopt a policy to implement the provisions of this Section.

1. Such policy shall include, but not be limited to:

a. A definition for instructional day to include start and ending times of the instructional day;

b. Applicability of this Section to school-sponsored events, including athletic competitions and field trips, taking place during an instructional day;

c. Acceptable means by which parents or guardians may contact students during the instructional day;

d. Prohibition of students from utilizing school-issued devices to access personal messaging features and social media accounts not used for educational purposes; and

e. Disciplinary regulations for a student who fails to comply with the policy on one or more occasions.

2. Prior to the adoption of such policy, the LEA must seek feedback from parents, students, teachers, administrators, and other school stakeholders. Solicitation of feedback may be satisfied through public comment received during an open meeting of the school board prior to final adoption.

E. No later than March 1, 2025, the LEA shall submit to the LDOE a copy of the local policy adopted in accordance with this Subsection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81 and R.S. 17:239.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005), amended LR 37:1134 (April 2011), LR 39:2209 (August 2013), LR 51:56 (January 2025).

Chapter 13. Discipline

§1301. Disciplinary Regulations

A. Each LEA shall adopt such rules and regulations as it deems necessary to implement and control any disorderly conduct in the school or on the playground of the school, on any school bus, on the street or road while going to and from school, or during intermission and recess, or at any school sponsored activity or function.

1. The plan shall not prohibit a teacher from removing a pupil from the classroom for disciplinary reasons. A student whose behavior prevents the orderly instruction of other students or poses an immediate threat to the safety or physical well-being of any student or teacher shall be immediately removed from the classroom and placed in the custody of the principal or designee.

2. ...

3. The plan shall not prohibit or discourage a teacher from taking disciplinary action, recommending disciplinary action, or completing a form to initiate disciplinary action against a student who violates school policy or who interferes with an orderly education process.

4. A principal or administrator shall not retaliate or take adverse employment action against a teacher for taking disciplinary action.

5. Each LEA shall adopt rules regarding the reporting and review of disciplinary actions.

B. - G.2.c.xi. ...

xii. requiring the completion of all assigned school work and homework that would have been assigned and completed by the student during the period of out-of-school suspension.

xiii. any other disciplinary measure authorized by the principal with the concurrence of the teacher of the school building level committee pursuant to law and LEA policy.

3. ...

4. Upon the third disciplinary removal from the same classroom, the teacher and principal shall discuss the disruptive behavior patterns of the student and the

appropriate classroom disciplinary action prior to principal application of a disciplinary measure. A conference between the teacher or other appropriate school employee and the student's parent or legal custodian is required prior to student readmission to the same classroom. Such conference may be in person, by telephone, or by other virtual means. If such a conference is required by the school or LEA policy, the school shall give written notice to the parent.

G.5. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:223-224, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1282 (June 2005), amended LR 36:1225 (June 2010), LR 37:1132, 1133 (April 2011), LR 39:476 (March 2013), LR 39:2210 (August 2013), LR 39:3069 (November 2013), LR 48:1011 (April 2022), LR 51:57 (January 2025).

§1302. Student Code of Conduct

A. - A.4. ...

a. Before an initial referral for student expulsion, codes of conduct shall require the prior administration of interventions in accordance with the minor tiers in the code of conduct, except in instances where the expulsion referral is the result of accumulated minor infractions in accordance with the code of conduct, the underlying incident threatens the safety and health of students or staff, or the offense is related to possession of tobacco, alcohol, or vaping products on school property, on a school bus, or at a school-sponsored event.

A.4.b. - 5. ...

6. Each LEA shall include in its code of conduct clearly defined rules of conduct and expectations of students engaged in virtual instruction as well as clearly defined consequences of conduct, respecting the student and family rights to privacy and other constitutional rights while at home or in a location that is not school property.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:81, R.S. 17:223-224, R.S. 17:416, and R.S. 17:416.13.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:477 (March 2013), amended LR 40:2530 (December 2014), LR 48:1012 (April 2022), LR 51:57 (January 2025).

§1303. Bullying

A. - A.2.c. ...

B. - B.5. Repealed.

C. - G.3.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:415, R.S. 17:416, R.S. 17:416.13, and R.S. 17:416.14.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:477 (March 2013), amended LR 39:3259 (December 2013), LR 49:250 (February 2023), repromulgated LR 49:856 (May 2023), amended LR 51:57 (January 2025).

§1304. Classroom Management Training for School Staff [Formerly §1302]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:252.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:1380 (May 2011), repromulgated LR 39:479 (March 2013), amended LR 39:2210 (August 2013), repealed LR 51:57 (January 2025).

§1307. Reasons for Expulsions

A. Students may be expelled for any of the following reasons:

1. Any student, after being suspended for committing any of the offenses listed in §1305 of this Chapter, may be expelled upon recommendation by the principal of the public school in which the student is enrolled.

2. Any student, after being suspended on three occasions for committing drugs or weapons offenses during the same school session, shall, on committing the fourth offense, be expelled from all the public schools of the parish or city school system wherein he or she resides until the beginning of the next regular school year, subject to the review and approval of the local educational governing authority.

3. The conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act which, had it been committed by an adult, would have constituted a felony, may be cause for expulsion of the student for a period of time as determined by the board.

a. Such expulsions shall require the vote of two thirds of the elected members of the local educational governing authority.

b. Such expulsions shall not be for a period of time longer than the student's period of adjudication as determined by the applicable court presiding over the student's criminal matter, shall run concurrent to the student's period of disposition, and may require the student to serve the time left in the expulsion period as required by the superintendent or designee if the student was serving an expulsion period when the student was incarcerated for a separate offense and the student completes the period of incarceration with time left in the expulsion period.

c. Such conviction or incarceration may be sufficient cause for a superintendent to refuse admission of the student to a school except upon review and approval of a majority of the elected members of the local school board.

4. Any student in sixth grade and above found guilty of being in possession of tobacco, alcohol, or vaping products on school property, on a school bus, or at a school-sponsored event may be recommended for expulsion.

5. A student in grades six and above who is found guilty of being in possession of a firearm, a knife with a blade equal to or in excess of two and one-half inches in length, or any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school event shall be expelled from school according to the requirements of R.S. 17:416(C)(2). The school principal or designee shall, within five days of arrest, refer such student for testing or screening by a qualified medical professional for evidence of abuse of alcohol, illegal narcotics, drugs, or other controlled dangerous substances. If evidence of abuse is found, the principal or designee shall refer the student to an alcohol and drug abuse treatment professional chosen by the student's parent or legal guardian.

6. Any student in sixth grade and above who is suspended a third time within the same school year for any offense, excluding dress code violation or tardiness, shall be recommended for expulsion.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 34:608 (April 2008), LR 39:2211 (August 2013), LR 43:2483 (December 2017), LR 48:1013 (April 2022), LR 51:58 (January 2025).

§1309. Guidelines for Expulsions

A. - C. ...

D. A student expelled from school pursuant to the provisions of R.S. 17:416 may be readmitted on a probationary basis to school at any time during the specified period of expulsion on such terms and conditions as may be stipulated by the city, parish, or other local school superintendent and agreed to in writing by the student and by the student's parent or other person responsible for the student's school attendance. However, any such written agreement shall include a provision that upon the school principal or superintendent of schools determination that the student has violated any term or condition of the agreement, the student shall be immediately removed from the school premises without the benefit of any hearing or other procedure applicable to student out-of-school suspensions and expulsions and returned to the school system alternative school setting. As soon thereafter as possible, the principal or designee shall provide verbal notice to the superintendent of schools of any such determination and also shall attempt to provide such verbal notice to the student's parent or other person responsible for the student's school attendance. The principal or his designee also shall provide written notice of the determination and the reasons therefore to the superintendent and to the student's parent or other responsible person.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:416.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1284 (June 2005), amended LR 34:608 (April 2008), LR 35:1098 (June 2009), LR 48:1013 (April 2022), LR 51:58 (January 2025).

Chapter 23. Curriculum and Instruction

Subchapter A. Standards and Curricula

§2303. Planning and Instruction

A. - B. ...

1. Systematic planning includes weekly, job-embedded teacher collaboration led by a skilled facilitator to support groups of similar teachers in building expertise in the implementation of high quality instructional materials, strategies for meeting the needs of students and teachers using both student and teacher data and work samples, and strategies for most effectively meeting student needs during core instruction, tutoring, and intervention time.

2. For courses for which a high-quality curriculum has been adopted, systematic planning includes educator internalization of the lesson to understand how the lesson is designed to be approached and implemented. Expectations for internalization strategies must be differentiated to provide for professional autonomy according to the effectiveness of the teacher.

3. For courses for which a high-quality curriculum has not been adopted, systematic planning includes lesson design and preparation in accordance with Louisiana content standards.

C. - F. ...

1. Except for the explicit direct instruction required for specific intervention programs, educators rated Proficient or higher on the previous year evaluation must not be required to read verbatim from a teaching manual or lesson plan.

2. Educators rated Proficient or higher on the previous year evaluation must be provided professional autonomy regarding the selection and utilization of instructional strategies in alignment with state content standards.

G. - H. ...

AUTHORITY NOTE: Promulgated in accordance with Louisiana Constitution Art. VIII Preamble and R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1288 (June 2005), amended LR 39:2213 (August 2013), LR 40:764 (April 2014), LR 51:58 (January 2025).

§2305. Ancillary Areas of Instruction

A. - E. ...

F. - F.5. Repealed.

G. - G.2. ...

H. - L.1. Repealed.

M. ...

N. - R. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:81, 17:154, 17:261 et seq., 17:263, 17:270, 17:280, 17:281 et seq., 17:404, and 17:405 et seq., and 36 USC 106.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1288 (June 2005), amended LR 33:2353 (November 2007), LR 39:2214 (August 2013), LR 39:3259 (December 2013), LR 40:2531 (December 2014), LR 44:1443 (August 2018), LR 44:1868 (October 2018), LR 45:36 (January 2019), LR 45:1746 (December 2019), amended LR 48:33 (January 2022), LR 49:251 (February 2023), repromulgated LR 49:857 (May 2023), amended LR 50:177 (February 2024), LR 51:59 (January 2025).

Tavares A. Walker
Executive Director

2501#033

RULE

Board of Elementary and Secondary Education

Special Education

(LAC 28:XLIII.151, 322, 504, 507, 511, 520, 1507, and 1511, LAC 28:LXI.305, LAC 28:XC.101, 103, 107, 109, 111, 309, and 315, and LAC 28:CV.303, 331, and 332)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended amend LAC 28:XLIII in *Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act*, LAC 28:LXI in *Bulletin 1573—Complaint Management Procedures*, LAC 28:XC in *Bulletin 1922—Compliance Monitoring Procedures*, and LAC 28:CV *Bulletin 741—Louisiana Handbook for School Administrators*. The amendments align BESE policy with special education legislation enacted by the 2024 Regular Legislative Session. The revisions adopt requirements for implementation of Act 198: early resolution process, Act 512: IEP scheduling and due process, and Act 689: tutorship. Further updates address recommendations

from the Louisiana Legislative Audit on Risk-Based Monitoring and response to public comments received during the Notice of Intent process regarding timelines for special education services. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part XLIII. Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act

Act

Subpart 1. Students with Disabilities

Chapter 1. State Eligibility

Subchapter J. State Complaint Procedures

§151. Adoption of State Complaint Procedures and Early Resolution Program

A. - C.3. ...

D. A written agreement developed pursuant to the early resolution process is enforceable in any court of competent jurisdiction.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2046 (October 2008), amended LR 36:1499 (July 2010), LR 51:59 (January 2025).

Chapter 3. Evaluations, Eligibility Determinations, Individualized Education Programs, and Educational Placements

Subchapter D. Individualized Education Programs

§322. Parent Participation

A. - A.1. ...

2. scheduling the meeting at a mutually agreed upon time and place, including postponing an IEP team meeting to a reasonable alternative date when, after receiving notice as required in accordance with this Section, the parent or legal guardian requests such a postponement prior to the properly noticed meeting.

B. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2062 (October 2008), amended LR 50:1151 (August 2024), LR 51:59 (January 2025).

Chapter 5. Procedural Safeguards

Subchapter A. Due Process Procedures for Parents and Students

§504. Prior Notice by the Public Agency; Content of Notice

A. Notice. Written notice that meets the requirements of Subsection B of this Section shall be given to the parents of a student with a disability within a reasonable amount of time, and no less than ten days, before the public agency:

A.1. - D. ...

E. Notice as required in this Section shall be given through one of the following forms of communication:

1. by certified mail with return receipt requested;
2. by electronic mail, if parent or legal guardian provides an electronic mail address;
3. by text message, if the parent or legal guardian provides a mobile phone number for the purposes of receiving text messages; or
4. through an online portal or other application that provides for documentation of the date of delivery of the notice.

F. All timetables established in this Section are subject to informed waiver by the parent or legal guardian.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2069 (October 2008), amended LR 50:1151 (August 2024), LR 51:59 (January 2025).

§507. Filing a Request for Impartial Due Process Hearing

A. - A.1. ...

2. Prescription. The due process hearing request shall allege a violation that occurred not more than two years before the date the parent or public agency knew or should have known about the alleged action that forms the basis of the request for due process hearing, except that the exceptions to the timeline described in §511.G of this Chapter apply to the timeline in this Section.

B. - B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2071 (October 2008), amended LR 51:60 (January 2025).

§511. Impartial Due Process Hearing and Hearing Officer Appointments

A. - E. ...

F. Timeline for Requesting a Hearing. A parent or agency shall request an impartial hearing on their request for due process hearing within two years of the date the parent or agency knew or should have known about the alleged action that forms the basis of the request for due process hearing.

G. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2072 (October 2008), amended LR 38:2367 (September 2012), LR 51:60 (January 2025).

§520. Transfer of Parental Rights at the Age of Majority

A. - B.3. ...

C. Each LEA shall adopt a written policy requiring each school under its jurisdiction to provide written information to parents regarding legal procedures affecting the transfer of individual rights from parent to child when the child attains the age of majority, including but not limited to supported decision making, power of attorney, continuing or permanent tutorship, and limited to full interdiction.

1. The LDOE shall develop the information and provide such to each LEA for this purpose.

2. The information shall be provided at the first IEP meeting of the school year for a student who is fourteen to seventeen years old and participates in alternate assessment in accordance with R.S. 17:24.4(F)(3) or an alternate pathway to promotion in accordance with R.S. 17:24.4(H).

AUTHORITY NOTE: Promulgated in accordance with R.S.17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:2076 (October 2008), amended LR 51:60 (January 2025).

Subpart 2. Regulations for Gifted/Talented Students

Chapter 15 Procedural Safeguards

§1507. Filing a Request for Impartial Due Process Hearing

A. - A.1. ...

2. Prescription. The due process hearing request shall allege a violation that occurred not more than two years before the date the parent or public agency knew or should have known about the alleged action that forms the basis of the request for due process hearing, except that the exceptions to the timeline described in §1511.G of this Chapter apply to the timeline in this Section.

B. - B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2021 (September 2010), amended LR 51:60 (January 2025).

§1511. Impartial Due Process Hearing and Hearing Officer Appointments

A. - E. ...

F. Timeline for Requesting a Hearing. A parent or agency shall request an impartial hearing on their request for due process hearing within two years of the date the parent or agency knew or should have known about the alleged action that forms the basis of the request for due process hearing.

G. - H.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2023 (September 2010), amended LR 46:181 (February 2020). LR 51:60 (January 2025).

Title 28

EDUCATION

Part LXI. Bulletin 1573—Complaint Management Procedures

Chapter 3. General Provisions

§305. Filing a Complaint

A. - C. ...

1. a statement that a public agency has violated a requirement of Part B of the Act or of this Part, regardless of whether the violation resulted in a loss of FAPE; and

2. ...

D. The complaint must allege a violation that occurred not more than two years prior to the date that the complaint is received in accordance with §501 of this Part unless a longer period is reasonable because the violation is continuing.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:1082 (July 2003), amended LR 50:489 (April 2024), LR 51:60 (January 2025).

Title 28
EDUCATION

**Part XCI. Bulletin 1922—Compliance Monitoring
Procedures**

Chapter 1. Overview

§101. Monitoring

A. Monitoring is an integrated, comprehensive process to ensure a free, appropriate, public education for all children with disabilities and to assess and ensure program effectiveness for all children with disabilities in public schools. This includes students with disabilities, ages three through twenty-one.

B. The integrated monitoring system for Louisiana, through the analysis of various quantitative and qualitative data, will focus state resources on improving educational program outcomes for students with disabilities through a comprehensive, data-based process. Annually, the Louisiana Department of Education (LDOE) will select a list of specific variables and performance indicators for comparative purposes for all local educational agencies providing services to children with disabilities. This list is a combination of federally-required indicators, the required areas in §111 of this Part, state performance indicators or goal areas.

C. - D.3. ...

4. At least once within a six-year period based on the duration of the State Performance Plan/Annual Performance Report (SPP/APR), LEAs will receive monitoring activities. LDOE may impose more frequent or targeted monitoring as determined necessary.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944.

HISTORICAL NOTE: Promulgated by the State Board of Elementary and Secondary Education, LR 30:414 (March 2004), amended LR 31:3104 (December 2005), LR 37:3216 (November 2011), LR 43:516 (March 2017), LR 51:61 (January 2025).

§103. Authority

A. - F. ...

G. Uniform Grant Guidance (UGG).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944.

HISTORICAL NOTE: Promulgated by the State Board of Elementary and Secondary Education, LR 30:415 (March 2004), amended LR 37:3216 (November 2011), LR 51:61 (January 2025).

§107. Corrective Action and Sanctions

A. The LDOE has the responsibility to monitor all public educational agencies with programs for children with disabilities ages three through twenty-one within the state for compliance with applicable state and federal laws, regulations, and standards.

B. ...

C. LDOE determines the need for a corrective action plan (CAP) to address findings of non-compliance on an individual LEA case-by-case basis. If the LDOE requires a CAP as a result of risk-based monitoring activities, it will be developed in collaboration with the LDOE following the LEA's receipt of the LDOE's monitoring report. The CAP shall be submitted for approval to the LDOE within 35 business days of receipt of the monitoring report. However, upon receipt of the report, the LEA shall immediately begin

correcting the findings of non-compliance documented in the report. The plan will address the activities the LEA will implement to correct the areas of non-compliance identified during the on-site visit as soon as possible, but in no case more than one year from the date of the notification report from the LDOE.

D. The progress toward completing the activities in the plan will be tracked by the LDOE to determine if the timelines are being met and that noncompliance is corrected as soon as possible, but not later than one year after receiving written notification from LDOE. LEAs will submit evidence and data as requested by the LDOE to show completion of activities and evidence of change in the LEA as a result of the corrective action plan. Based on a review of submitted evidence, the LDOE will decide whether the LEA has met compliance requirements or determine whether a follow-up, on-site visit must be conducted to determine if the LEA has made systemic changes and changes to address any student-specific noncompliance to correct the noncompliance addressed in the corrective action plan.

E. - F.5.d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944.

HISTORICAL NOTE: Promulgated by the State Board of Elementary and Secondary Education, LR 30:415 (March 2004), amended LR 31:3105 (December 2005), LR 32:1839 (October 2006), LR 37:3216 (November 2011), LR 43:517 (March 2017), LR 50:680 (May 2024), LR 51:61 (January 2025).

**§109. Components of the Continuous Improvement
Monitoring Process**

A. The monitoring system will be implemented as a process that includes various components. This process will be comprehensive and continuous to include the use of various data sources. The monitoring system will be an ongoing process through the use of different components, rather than a primarily cyclical process occurring on a scheduled basis.

B. - B.2. ...

3. Review complaint management logs and due process hearing decisions regarding specific complaints in an individual LEA.

4. - 9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944.

HISTORICAL NOTE: Promulgated by the State Board of Elementary and Secondary Education, LR 30:418 (March 2004), amended LR 31:3107 (December 2005), LR 32:1840 (October 2006), LR 37:3217 (November 2011), LR 43:517 (March 2017), LR 51:61 (January 2025).

§111. Purpose

A. The LDOE has the responsibility to ensure that each participating agency in the state is in compliance with all applicable federal and state laws, regulations, and standards required for the provision of a free and appropriate public education for all children with disabilities ages three through twenty-one for whom each is legally responsible. To fulfill this responsibility, the LDOE has established a purpose for conducting monitoring, as well as procedures and strategies that provide ongoing monitoring activities. The procedures provide continuous and comprehensive monitoring of all aspects of special education including the following:

1. - 3. ...
4. the provision of FAPE in the LRE including program, services, and placement implementation for students with disabilities three through twenty-one years of age; including transition from Part C by the child's third birthday;
5. professional development;
6. fiscal requirements relative to programmatic issues of local educational agencies; and
7. the use of resolution meetings and mediation.

B. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944.

HISTORICAL NOTE: Promulgated by the State Board of Elementary and Secondary Education, LR 30:416 (March 2004), amended LR 31:3106 (December 2005), LR 37:3217 (November 2011), LR 51:61 (January 2025).

Chapter 3. Operational Procedures for Compliance Monitoring

§309. Activities Conducted Prior to the On-Site Visit

A. - A.1. ...

2. LEA Application for IDEA Part B funds and end-of-year financial reports;

3. - 8. ...

9. information relative to certifications and professional development activities provided to personnel and parents;

10. any other data the LDOE determines is necessary to review as part of a comprehensive data review of the LEA; and

11. LEA policies and procedures.

B. - C.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944.

HISTORICAL NOTE: Promulgated by the State Board of Elementary and Secondary Education, LR 30:418 (March 2004), amended LR 31:3107 (December 2005), LR 37:3218 (November 2011), LR 51:62 (January 2025).

§315. Validation of Corrective Action

A. - C. ...

D. The LDOE will conduct, when necessary, an on-site visit in the year following the initial on-site visit, or sooner if deemed necessary by the LDOE, to validate the documentation of the implementation of the corrective action and to validate systemic change of areas of non-compliance. Validation of correction requires verification that the LEA has corrected each individual case of noncompliance and the LEA is correctly implementing the specific regulatory requirement based upon updated data with one hundred percent compliance.

E. The LDOE will notify the LEA in writing when all corrective action has been accepted as completed.

F. Noncompliance beyond one year will be considered long-standing noncompliance and additional enforcement actions may be taken in accordance with §107 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1944.

HISTORICAL NOTE: Promulgated by the State Board of Elementary and Secondary Education, LR 30:419 (March 2004), amended LR 31:3108 (December 2005), LR 37:3219 (November 2011), LR 51:62 (January 2025).

Title 28 EDUCATION

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

Chapter 3. Operation and Administration

§303. General Powers of Local Educational Governing Authorities

A. - B. ...

1. Each member of a city or parish school board shall receive a minimum of six hours of training and instruction annually in the school laws of this state, in the laws governing the school boards, and in educational trends, research, and policy. Such training shall also include education policy issues, including but not limited to the Minimum Foundation Program (MFP) and formula, literacy and numeracy, leadership development, dropout prevention, career and technical education, redesigning high schools, early childhood education, special education, school discipline, harassment, intimidation, and bullying. Training shall also include instruction in Louisiana Open Meeting Law and the Louisiana public bid law. In an LEA that has one or more schools identified as an academically unacceptable school or a school in need of academic assistance as defined by BESE, at least two of the required hours shall focus on the improvement of schools identified as failing schools as defined by BESE.

B.2. - M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:53, R.S. 17:54, R.S. 17:81, 17:81.2, and 17:81.4-8, R.S. 17:100.2, and R.S. 17:151.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1257 (June 2005), amended LR 35:1474 (August 2009), LR 35:1876 (September 2009), LR 37:1136 (April 2011), LR 39:2195 (August 2013), LR 51:62 (January 2025).

§331. Special Education Programs

A. - D.2. ...

* * *

E. Special Education Advisory Council (SEAC). Each local public school superintendent and the administrative head of each charter school or other public school shall create a special education advisory council to provide advice and feedback regarding special education policies, procedures, and resources. The council shall also engage in outreach activities to the community at large to increase the level of knowledge, support, and collaboration with respect to special education.

1. Membership. The number of council members and composition of the council shall be determined by the local public school superintendent or the administrative head of each charter school and shall be composed as follows:

a. At least 50 percent of the membership shall be parents or legal guardians of students with an exceptionality, other than gifted and talented, who are enrolled in a school under the jurisdiction of or who are receiving special education services from the local education authority (LEA), none of whom shall be employees of the LEA. One high school student with an exceptionality, other than gifted and talented, and one person who represents an entity that serves students with disabilities or families of students with disabilities and who is not an employee of the LEA may be counted to meet this requirement.

b. At least one member shall be a teacher, principal, or paraprofessional who serves students with disabilities and who works in a school under the jurisdiction of the LEA.

c. At least ten percent of the membership shall be special education stakeholders who are not represented by council members selected under Subparagraphs a. or b. of this Paragraph.

d. The superintendent or administrative head of a charter school shall seek applications for council membership from parents of students with an exceptionality, other than gifted and talented, teachers, principals, paraprofessionals, and other stakeholders.

e. An effort shall be made in the selection of council members to include representation of parents of students in elementary, middle, and high school.

2. A council should be composed of at least eight members. If a council has fewer than eight members, the superintendent or administrative head of a charter school shall provide an explanation of the decision to establish a council with fewer than eight members. The explanation shall be provided to the council, and the council shall include it as an addendum to the annual report submitted to LDOE.

3. The superintendent or administrative head of a charter school shall designate the chairperson of the council. The chairperson shall call the council meetings, preside over the meetings, and establish the agenda for the meetings. The SEAC shall meet at least three times per year.

4. The superintendent or administrative head of a charter school shall provide an annual report to the SEAC which shall, at a minimum, include the following information regarding the school system or school:

a. special education financial data, including federal, state, and local funding;

b. subgroup academic data on students receiving special education and related services; and

c. compliance violations relative to special education requirements.

5. The SEAC shall submit a written report regarding its activities to the local superintendent or administrative head of a charter school and the Special Education Advisory Panel (SEAP) in May of each year. The report shall be posted on the LEA website, submitted to LDOE, and posted on the LDOE website.

6. There shall be no liability or cause of action against an LEA or any officer or employee thereof for any action taken by members of the council.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1261 (June 2005), amended LR 39:2197 (August 2013), LR 51:62 (January 2025).

§332. Installation and Operation of Cameras in Certain Special Education Settings

A. - E.1. ...

2. Upon receipt of such funds, grants, donations, or nonmonetary resources, the governing authority shall install and operate the cameras within 90 days according to the policies adopted pursuant to this section.

3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1948.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 49:34 (January 2023), LR 51:63 (January 2025).

Tavares A. Walker
Executive Director

2501#035

RULE

Board of Regents Office of Student Financial Assistance

Scholarship/Grant Programs
2024 Legislation and Louisiana GO Grant
(LAC 28:IV.301, 704, 804, and 1203 and Chapter 13)

The Board of Regents has amended its Scholarship/Grant rules (R.S. 17:3021-3025, R.S. 3041.10-3041.15, R.S. 17:3042.1, R.S. 17:3048.1, R.S. 17:3048.5 and R.S. 17:3048.6). (SG25218R). This Rule is hereby adopted on the day of promulgation.

Title 28 EDUCATION

Part IV. Student Financial Assistance—Higher Education Scholarship and Grant Programs

Chapter 3. Definitions

§301. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa. The term “the board” refers to the Louisiana Board of Regents.

Expected Family Contribution (EFC)—an amount, determined by a formula established by Congress, that indicates how much of a family's financial resources should be available to help pay for the student's cost of attendance. Factors such as taxable and nontaxable income, assets (such as savings and checking accounts), and benefits (for example, unemployment or Social Security) are all considered in this calculation. Effective with the 2024-2025 award year, this calculation has been replaced with the Student Aid Index (SAI).

Steady Academic Progress—the maintenance of a minimum cumulative grade point average of 2.00 on a 4.00 scale, except at eligible cosmetology or proprietary schools, where it is meeting the federal grant aid requirement for steady academic progress at that school.

Student Aid Index (SAI)—an eligibility index number that a college's financial aid office uses to determine how much federal student aid a student would receive if they attended that school.

Substantial Financial Need—Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996),

repromulgated LR 24:632 (April 1998), amended LR 24:1898 (October 1998), LR 24:2237 (December 1998), LR 25:256 (February 1999), LR 25:654 (April 1999), LR 25:1458 and 1460 (August 1999), LR 25:1794 (October 1999), LR 26:65 (January 2000), LR 26:688 (April 2000), LR 26:1262 (June 2000), LR 26:1601 (August 2000), LR 26:1993, 1999 (September 2000), LR 26:2268 (October 2000), LR 26:2752 (December 2000), LR 27:36 (January 2001), LR 27:284 (March 2001), LR 27:1219 (August 2001), LR 27:1840 (November 2001), LR 27:1875 (November 2001), LR 28:45 (January 2002), LR 28:446 (March 2002), LR 28:772 (April 2002), LR 28:2330, 2331 (November 2002), LR 29:555 (April 2003), LR 29:879 (June 2003), LR 30:1159 (June 2004), LR 30:2015 (September 2004), LR 31:36 (January 2005), LR 31:3112 (December 2005), LR 33:86 (January 2007), LR 33:439 (March 2007), LR 33:1339 (July 2007), LR 33:2612 (December 2007), LR 34:234 (February 2008), LR 34:1388 (July 2008), LR 34:1884 (September 2008), LR 35:228 (February 2009), LR 35:1489 (August 2009), LR 35:1490 (August 2009), LR 36:311 (February 2010), LR 36:490 (March 2010), LR 36:2854 (December 2010), LR 37:1561 (June 2011), LR 37:1562 (June 2011), LR 38:1953 (August 2012), LR 38:3156 (December 2012), LR 39:308 (February 2013), LR 40:53 (January 2014), LR 40:281 (February 2014), LR 41:649, 658 (April 2015), LR 41:2595 (December 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 42:1880 (November 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:486 (March 2018), LR 45:1172 (September 2019), LR 48:479 (March 2022), LR 50:185 (February 2024), LR 51:63 (January 2025).

Chapter 7. Taylor Opportunity Program for Students (TOPS) Opportunity, Performance, and Honors Awards

§704. Opportunity, Performance, and Honors Award Core Curriculum and Equivalents

A. - A.10. ...

* * *

11. Beginning with the graduates of academic year (high school) 2028-2029, at the time of high school graduation, an applicant must have successfully completed 20 units of high school course work that constitutes a core curriculum and is documented on the student's official transcript as approved by the Department of Education as follows:

Units	Course
English - 4 Units	
1	English I
1	English II
1	English III, AP English Language Arts and Composition, or IB English III (Language A or Literature and Performance)
1	English IV, AP English Literature and Composition, or IB English IV (Language A or Literature and Performance)
Math - 4 Units	
1	Algebra I
1	Geometry
1	Algebra II
1	One unit from: Algebra III; Advanced Math- Functions and Statistics, Advanced Math- Pre-Calculus, Pre-Calculus, or Math Methods I IB (Mathematical Studies SL); Calculus, AP Calculus AB, or Math Methods II IB (Mathematics SL); AP Calculus BC; Probability and Statistics or AP Statistics; IB Further Mathematics HL; IB Mathematics HL; Computer Science

Science - 4 Units	
1	Biology I
1	Chemistry I
2	Two units from: Earth Science; Environmental Science; Physical Science; Agriscience I and Agriscience II (one unit combined); Chemistry II or AP Chemistry or IB Chemistry II; AP Environmental Science or IB Environmental Systems; Physics I, AP Physics I, AP Physics B, or IB Physics I; AP Physics C: Electricity and Magnetism, AP Physics C: Mechanics, IB Physics II, or AP Physics II; Biology II or AP Biology or IB Biology II; Computer Science
Social Studies – 4 Units	
1	U.S. History or AP U.S. History or IB U.S. History
1	Civics, Government, AP US Government and Politics: Comparative, or AP US Government and Politics: United States
2	Two units from: Western Civilization, European History or AP European History; World Geography, AP Human Geography, or IB Geography; World History, AP World History, or World History IB; History of Religion; IB Economics, Economics, AP Macroeconomics, or AP Microeconomics; African American History.
Foreign Language – 2 Units Or Computer Science- 2 Units	
2	Foreign Language, two units in the same language, which may include: AP Chinese Language and Culture, AP French Language and Culture, AP German Language and Culture, AP Italian Language and Culture, AP Japanese Language and Culture, AP Latin, AP Spanish Language and Culture, French IV IB, French V IB, Spanish IV IB, and Spanish V IB. Or Computer Science, two units, which may include: AP Computer Science A;
Art – 1 Unit	
1	One unit of Art from: Performance course in Music, Dance, or Theatre; Fine Arts Survey; Arts I, II, III, and IV; Talented Art I, II, III, and IV; Talented Music I, II, III, and IV Talented Theater Arts I, II, III, and IV; Speech III and IV (one unit combined); AP Art History; AP Studio Art: 2-D Design; AP Studio Art: 3-D Design; AP Studio Art: Drawing; AP Music Theory; Film Study I IB; Film Study II IB; Music I IB; Music II IB; Art Design III IB; Art Design IV IB; Theatre I IB; or Drafting
1	Financial Literacy
Computer Science – 1 Unit	
The requirement shall be satisfied as a math elective, as a science elective, or as a foreign language.	

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1, and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 50:188 (February 2024), LR 51:64 (January 2025).

Chapter 8. TOPS-Tech Award

§804. TOPS-Tech Award and Core Equivalents

A. - A.7. ...

8. For students graduating in the 2027-2028 academic year (high school) and later, the high school course work documented on the student’s official transcript as approved by the Louisiana Department of Education constituting the following TOPS-Tech core curriculum.

Core Curriculum—TOPS-Tech Award	
Units	Course
1	English I
1	English II
2	English III, English IV, AP or IB English courses, Business English, Technical Writing, or comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by the state Board of Elementary and Secondary Education.
1	Algebra I; or both Algebra I, Part 1 and Algebra I, Part 2; or an applied or hybrid algebra course
1	Geometry or an applied Geometry course
1	Financial Literacy
1	Algebra II, Math Essentials, Business Math, Algebra III, Advanced Math -Functions and Statistics, Advanced Math - Pre-Calculus, Pre-calculus, Computer Science, or comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by the state Board of Elementary and Secondary Education. Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry, and Algebra II, and shall equal three mathematics credits
1	Biology
1	Chemistry I, Earth Science, Environmental Science, Agriscience I and Agriscience II (both for one unit), Physical Science, Computer Science, Physics, or AP or IB science courses
1	U.S. History, AP U.S. History, or IB U.S. History
1	Civics, Government, AP U.S. Government and Politics: Comparative, or AP U.S. Government and Politics: United States
9	In Jump Start course sequences, workplace experiences, and credentials. A student shall complete a regionally designed series of Career and Technical Education Jump Start coursework and workplace-based learning experiences leading to a statewide or regional Jump Start credential. This shall include courses and workplace experiences specific to the credential, courses related to foundational career skills requirements in Jump Start, and other courses, including career electives, that the Jump Start regional team determines are appropriate for the career major. One of these courses shall be Computer Science, unless Computer Science is taken to fulfill a math or science elective.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1, and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 50:206 (February 2024), LR 51:64 (January 2025).

Chapter 12. Louisiana GO Grant

§1203. Definitions

A. The following definitions shall be applicable to the Louisiana GO Grant Program. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa. The term “the board” refers to the Louisiana Board of Regents.

Expected Family Contribution (EFC)—an amount, determined by a formula established by Congress, that indicates how much of a family’s financial resources should be available to help pay for the student’s cost of attendance. Factors such as taxable and nontaxable income, assets (such as savings and checking accounts), and benefits (for example, unemployment or Social Security) are all considered in this calculation. Effective with the 2024-2025 award year, this calculation has been replaced with the Student Aid Index (SAI).

Federal Pell Grant—the Pell Grant provided under title IV of the Higher Education Act of 1965, as amended.

Financial Need—the student’s costs of attendance at the institution attended minus the student aid index (SAI).

Satisfactory Academic Progress—a standard established in accordance with the Higher Education Act of 1965, as amended, by the institution at which a GO Grant recipient is enrolled for measuring a student’s progress in his or her educational program.

Student Aid Index (SAI)—an eligibility index number that a college’s financial aid office uses to determine how much federal student aid a student would receive if they attended that school.

Undergraduate Program—a program of study that is designed to lead to a certificate or undergraduate degree.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2615 (December 2007), amended LR 34:236 (February 2008), LR 35:647 (April 2009), LR 35:2349 (November 2009), LR 36:2853 (December 2010), LR 39:2234 (August 2013), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:536 (March 2018), LR 48:485 (March 2022), LR 51:65 (January 2025).

Chapter 13. Leveraging Educational Assistance Partnership (LEAP)

§1301. General Provisions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:641 (April 1998), amended LR 24:1910 (October 1998), LR 25:1458 (August 1999), repromulgated LR 27:1860 (November 2001), amended LR 28:2332 (November 2002), LR 32:2239 (December 2006), LR 33:440 (March 2007), LR 34:240 (February 2008), LR 34:1885 (September 2008), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:540 (March 2018), repealed LR 51:65 (January 2025).

§1303. Establishing Eligibility

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:641 (April 1998), amended LR 24:1910 (October 1998), LR 25:1459 (August 1999), repromulgated LR 27:1861 (November 2001), amended LR 28:448 (March 2002), LR 35:1491 (August 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:540 (March 2018), repealed LR 51:66 (January 2025).

§1305. Maintaining Eligibility

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:642 (April 1998), LR 24:1911 (October 1998), amended LR 25:1459 (August 1999), repromulgated LR 27:1861 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:541 (March 2018), repealed LR 51:66 (January 2025).

§1307. Annual Application for Participation in, and Certification of Recipients of the LEAP Program

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:541 (March 2018), repealed LR 51:66 (January 2025).

Robyn Rhea Lively
Senior Attorney

2501#085

RULE

**Board of Regents
Office of Student Financial Assistance**

Scholarship/Grant Programs
2024 M.J. Foster Legislation
(LAC 28:IV.Chapter 22)

The Board of Regents has amended its Scholarship/Grant rules (LSA-R.S. 17:3021-3025, LSA-R.S. 3041.10-3041.15, LSA-R.S. 17:3042.1, LSA-R.S. 17:3048.1, LSA-R.S. 17:3048.5 and LSA-R.S. 17:3048.6). (SG25217R). This Rule is hereby adopted on the day of promulgation.

**Title 28
EDUCATION**

**Part IV. Student Financial Assistance—Higher
Education Scholarship and Grant Programs
Chapter 22. M.J. Foster Promise Program**

§2203. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa. The term *the board* refers to the Louisiana Board of Regents.

* * *

Award Year—the period beginning July 1 through the following June 30.

* * *

One Year—365 days.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:1094 (April 2022), amended LR 50:179 (February 2024), LR 51:66 (January 2025).

§2205. Initial Eligibility

A. To be eligible for an M.J. Foster Promise Award, a student must:

- 1.a. for the 2022-2023 and 2023-2024 award years, be at least 21 years of age as of the date of application;
- b. for the 2024-2025 award year, be at least 20 years of age as of the date of application;
- c. for the 2025-2026 award year, be at least 19 years of age as of the date of application;
- d. for the 2026-2027 award year, be at least 18 years of age as of the date of application; and
- e. for the 2027-2028 award year and thereafter, be at least 17 years of age as of the date of application.

A.2. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:1095 (April 2022), amended LR 50:180 (February 2024), LR 51:66 (January 2025).

§2209. Responsibilities of Eligible Colleges

A. - B. ...

C. Packaging Policy

- 1. Eligible colleges must establish and use a policy on M.J. Foster Promise Program packaging that provides:
 - a. procedures for compliance with these rules and the guidance established by the board and published by LOSFA for determining the award amount;
 - b. record retention to comply with Subsection J. of this Section;
 - c. the basis used to establish award amounts;
 - d. award amounts for less than full-time students;
 - e. procedures for identification of transfer students and ensuring transfer students receive awards on the same basis as home students;
 - f. procedures that identify students who meet the criteria provided in §2211.F. when sufficient funding is not available to fund all eligible students;
 - g. method for determining that a student has made steady academic progress;
 - h. the method by which funds will be disbursed to students who are enrolled in a high-cost program; and
 - i. a method by which students who are enrolled in a program of study that crosses award years are notified and acknowledge that they must reapply for M.J. Foster Promise Program funds for the new award year and that funding for the subsequent award year is not guaranteed.
- 2. Eligible colleges must revise the institution’s M.J. Foster Promise Program packaging policy as necessary to reflect changes to the applicable legislation and administrative rules promulgated by the board to implement this program.

D. - L. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:1096 (April 2022), amended LR 50:181 (February 2024), LR 51:66 (January 2025).

§2213. Responsibilities of the Louisiana Board of Regents

A. The Board of Regents shall enter into Memoranda of Understanding with the Louisiana Department of Public Safety and Corrections, the Louisiana State Police, the Louisiana Department of Revenue, the Louisiana Department of Children and Family Services, the Louisiana Department of Health, and the Louisiana Workforce Commission for the purpose of obtaining data to verify applicant statements and reporting.

B. The Board of Regents shall develop an information reporting system which shall include data on all award recipients and shall include all of the following:

B.1. - B.12. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 48:1097 (April 2022), amended LR 50:182 (February 2024), LR 51:67 (January 2025).

§2215. Responsibilities of the Louisiana Workforce Commission

A. Advisory Council

1. The Louisiana Workforce Commission shall convene an Advisory Council to perform the following functions for the purpose of identifying qualified programs of study for the M.J. Foster Promise Program:

a. identify not more than five industry sectors and that lead to high demand, high wage jobs that are aligned to state workforce priorities;

b. review postsecondary education requirements of each job identified;

c. identify programs of study at the associate level and below that lead to the identified jobs in each industry sector;

d. convene the Advisory Council at least once each year for program updates;

e. review the state's return on investment in awards made at least once every three years.

2. Identification of industry sectors, high demand high wage jobs, and required degrees and credentials of the identified jobs shall, at a minimum, be based upon the following:

a. a review of the most current statewide and regional industry and occupational forecasts approved by the Occupational Forecasting Conference and the Louisiana Workforce Investment Council;

b. a review of nationally recognized databases for industry and occupational projections; and

c. input from the regional development organizations in each region.

3. The advisory council shall identify and assist in the establishment of mechanisms to support award recipients to complete a qualified program and to gain employment in the

job for which training was received. Such mechanisms shall include the provision of college academic and career counseling and employer partnerships for developing mentorship programs and work-based learning experiences.

4. The advisory council shall identify and compile a list of all federal and state programs, including childcare supplements and other aid or services, that may provide additional support to award recipients to complete their postsecondary education, provide a copy to the Louisiana Board of Regents and to the Louisiana Office of Student Financial Assistance, which shall post such listing on its website.

5. The advisory council shall consist of the following members:

a. the chancellor of Louisiana State University at Eunice.

b. the chancellor of Southern University at Shreveport.

c. the president of the Louisiana Community and Technical College System.

d. the commissioner of higher education.

e. the state superintendent of education.

f. the secretary of the Louisiana Department of Economic Development.

g. the secretary of the Louisiana Workforce Commission.

h. the chairman of the Louisiana Workforce Investment Council.

i. the secretary of the Louisiana Department of Revenue.

6. The advisory council shall meet by January 1, 2022, and at least once every three years thereafter to review the workforce priorities of the state and each of its workforce regions and designate qualified programs of study.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3047 et seq.

HISTORICAL NOTE: Promulgated by the by the Board of Regents, Office of Student Financial Assistance, LR 51:67 (January 2025).

Robyn Rhea Lively
Senior Attorney

2501#084

RULE

**Tuition Trust Authority
Office of Student Financial Assistance**

START Saving Program
(LAC 28:VI.315)

The Tuition Trust Authority has amended its START Saving Program rules (LSA-R.S. 17:3091 et seq.).

This rulemaking codifies the interest rates to be applied to the Principal Protection investment option and Earnings Enhancements. (ST24216R). This Rule is hereby adopted on the day of promulgation.

Title 28
EDUCATION

**Part VI. Student Financial Assistance—Higher
Education Savings**

Chapter 3. Education Savings Account

§315. Miscellaneous Provisions

A. - B.46. ...

47. For the year ending December 31, 2023, the Louisiana Education Tuition and Savings Fund earned an interest rate of 1.43 percent.

48. For the year ending December 31, 2023, the Savings Enhancement Fund earned an interest rate of 2.86 percent.

C. - S.2. ...

AUTHORITY NOTE: Promulgated in accordance with 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:718 (June 1997), amended LR 24:1274 (July 1998), LR 26:1263 (June 2000), repromulgated LR 26:2267 (October 2000), amended LR 27:1221 (August 2001), LR 27:1884 (November 2001), LR 28:1761 (August 2002), LR 28:2335 (November 2002), LR 29:2038 (October 2003), repromulgated LR 29:2374 (November 2003), amended LR 30:791 (April 2004), LR 30:1472 (July 2004), LR 31:2216 (September 2005), LR 32:1434 (August 2006), LR 32:2240 (December 2006), LR 33:2359 (November 2007), LR 34:1886 (September 2008), LR 35:1492 (August 2009), LR 36:492 (March 2010), LR 36:2030 (September 2010), LR 38:1954 (August 2012), LR 39:2238 (August 2013), LR 40:1926 (October 2014), LR 41:1487 (August 2015), LR 42:1082 (July 2016), LR 42:1658 (October 2016), LR 43:1731 (September 2017), LR 44:1888 (October 2018), LR 45:1177 (September 2019), LR 46:1223 (September 2020), LR 47:1495 (October 2021), LR 48:2561 (October 2022), LR 51:68 (January 2025).

Robyn Rhea Lively
Senior Attorney

2501#083

RULE

**Department of Environmental Quality
Office of the Secretary
Legal Affairs Division**

Emissions Inventory
(LAC 33:III.919) (AQ399)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Air regulations, LAC 33:III.919 (AQ399).

This Rule change removes a requirement to receive a written release from reporting in order to discontinue submittal of emissions inventories when a facility is not required by an effective permit and no longer meets the reporting thresholds established by the regulations. The basis and rationale for this Rule are to remove an unnecessary burden on the regulated community. A written release from reporting is no longer needed as a means to distinguish between facilities that failed to report an emissions inventory and those that no longer meet the requirements under the Rule. This Rule meets an exception listed in R.S.

30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

Title 33
Environmental Quality
Part III. Air

**Chapter 9. General Regulations on Control of
Emissions and Emission Standards**

§919. Emissions Inventory

A. - A.3. ...

4. No facility classes or categories are exempted from emissions inventory reporting.

B. - C. ...

D. Reserved.

E. - F.1.c. ...

d. Both the emissions inventory and the certification statement required by Subparagraph F.1.c of this Section shall be submitted to the administrative authority by April 30 of each year (for the reporting period of the previous calendar year that coincides with period of ownership or operatorship), unless otherwise directed by the department. Any subsequent revisions shall be accompanied by a certification statement.

i. The owner or operator of any facility located in a parish designated by EPA as a nonattainment area or within a nonattainment area after June 1, 2011, and that meets the applicability criteria in Subparagraph A.1.a of this Section, shall submit both an emissions inventory and the certification statement required by Subparagraph F.1.c of this Section to the administrative authority by April 30 of the year following the first full calendar year of the nonattainment designation by EPA, unless otherwise directed by the department.

ii. The owner or operator of any facility located in a parish that adjoins a parish designated by EPA as a nonattainment area or within a nonattainment area after June 1, 2011, and that meets the applicability criteria in Subparagraph A.1.a of this Section, shall submit both an emissions inventory and the certification statement required by Subparagraph F.1.c of this Section to the administrative authority by April 30 of the year following the first full calendar year of the nonattainment designation by EPA, unless otherwise directed by the department.

F.1.d.iii. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), repealed and repromulgated by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:184 (February 1993), repromulgated LR 19:485 (April 1993), amended LR 19:1418 (November 1993), LR 20:1101 (October 1994), LR 22:339 (May 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2450 (November 2000), LR 29:2776 (December 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 32:241 (February 2006), LR 33:2084 (October 2007), LR 37:3222 (November 2011), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 43:2137 (November 2017), amended by the Office of the Secretary, Legal Affairs Division, LR 51:68 (January 2025).

Aurelia S. Giacometto
Secretary

2510#039

RULE

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Repeal of Affirmative Defense Provisions
(LAC 33:III.501, 502, 507, and 535) (AQ398)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Air regulations, LAC 33:III.501.B, 502.A, 507.J, and 535.A (AQ398).

This Rule removes affirmative defense provisions from LAC 33:III.507.J and from Part 70 General Condition N of LAC 33:III.535.A and relocates the definition of “upset” from LAC 33:III.507.J.1 to LAC 33:III.502.A. On July 21, 2023, EPA removed affirmative defense provisions from its Title V Operating Permit Program regulations (i.e., 40 CFR Parts 70 and 71).^{*} These provisions established an affirmative defense that sources could have asserted in enforcement cases brought for noncompliance with technology-based emission limitations in operating permits, provided that the exceedances occurred due to qualifying emergency circumstances. According to EPA, these provisions have never been required elements of state operating permit programs and were removed because they are inconsistent with the agency’s current interpretation of the enforcement structure of the Clean Air Act in light of prior court decisions from the U.S. Court of Appeals for the D.C. Circuit.

State permitting authorities whose Part 70 programs contain impermissible affirmative defense provisions must remove such provisions from their EPA-approved Part 70 programs. EPA expects such states to submit to the agency either a program revision, or a request for an extension of time, by August 21, 2024. The basis and rationale for this Rule are to remove affirmative defense provisions from Louisiana’s air quality regulations to comply with federal regulations. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

Title 33 ENVIRONMENTAL QUALITY

Part III. Air

Chapter 5. Permit Procedures

§501. Scope and Applicability

A. - B.1.c. ...

d. any *upset*, as defined in LAC 33:III. 502.A; however, the permitting authority shall be advised of such occurrences without delay, in accordance with all applicable upset or emergency provisions of Louisiana Air Quality regulations and of LAC 33:I.Chapter 39; or

B.1.e. - D.7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011 and 2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:613 (July 1990), LR 17:478 (May 1991), LR 19:1420 (November 1993), LR 20:1281 (November 1994), LR 20:1375 (December 1994), LR 23:1677 (December 1997), amended by the Office of the Secretary, LR 25:660 (April 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2445 (November 2000), LR 28:997 (May 2002), amended by the Office of Environmental Assessment, LR 31:1063 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2436 (October 2005), LR 32:1842 (October 2006), LR 33:2082 (October 2007), LR 33:2626 (December 2007), LR 35:461 (March 2009), LR 35:2351 (November 2009), LR 37:1145, 1148 (April 2011), LR 37:1391 (May 2011), LR 37:3221, 3233 (November 2011), repromulgated LR 37:3507 (December 2011), amended by the Office of the Secretary, Legal Division, LR 43:520 (March 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigation Division, LR 43:2149 (November 2017), amended by the Office of the Secretary, Legal Affairs Division LR 51:69 (January 2025).

§502. Definitions

A. ...

Upset—any situation arising from sudden and reasonably unforeseeable events beyond the control of the owner or operator, including acts of God, which situation requires immediate corrective action to restore normal operation and that causes the source to exceed a technology-based emissions limitation under the permit due to unavoidable increases in emissions attributable to the situation. An upset shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2445 (November 2000), LR 28:1950 (September 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 36:2553 (November 2010), LR 37:1148 (April 2011), LR 37:1391 (May 2011), amended by the Office of the Secretary, Legal Division, LR 41:2608 (December 2015), LR 42:564 (April 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:749 (April 2018), amended by the Office of the Secretary, Legal Affairs Division, LR 51:69 (January 2025).

§507. Part 70 Operating Permits Program

A. - I.4.b. ...

J. Reserved.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011, 2023, 2024, and 2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 20:1375 (December 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2447 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:698 (May 2003), LR 30:1008 (May 2004), amended by the Office of Environmental Assessment, LR 31:1061 (May 2005), LR 31:1568

(July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), LR 32:808 (May 2006), LR 33:1619 (August 2007), LR 33:2083 (October 2007), LR 33:2630 (December 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010), LR 37:2990 (October 2011), LR 38:1229 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1276 (May 2013), LR 40:1334 (July 2014), LR 41:1274 (July 2015), LR 42:1085 (July 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:746 (April 2018), LR 46:893 (July 2020), LR 47:355 (March 2021), LR 48:488 (March 2022), amended by the Office of the Secretary, Legal Affairs Division, LR 51:69 (January 2025).

§535. Part 70 General Conditions

A. ...

40 CFR Part 70 General Conditions	
A. - M.	...
N.	Reserved.
O. - W.	...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011, 2023, 2024, and 2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 35:658 (April 2009), amended by the Office of the Secretary, Legal Affairs Division, LR 51:70 (January 2025).

Aurelia S. Giacometto
Secretary

2501#038

RULE

**Office of the Governor
Board of Trustees of the Firefighters' Pension
and Relief Fund for the City of New Orleans**

**Open Meetings via Electronic Means
(LAC 58:V.2101 and 2103)**

Editor's Note: The following Rule is being repromulgated to correct a publication error. The original Rule can be viewed in the June 20, 2024 *Louisiana Register* on pages 780.

The Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans ("Fund"), pursuant to R.S. 11:363(F), has amended LAC 58:V.2101 and 2103. The adoption of Chapter 21 provides for disability accommodations by providing accessibility to board meetings by electronic means. This Rule is hereby adopted on the day of promulgation.

Title 58

RETIREMENT

**Part V. Firefighters' Pension and Relief Fund for the
City of New Orleans and Vicinity
Chapter 21. Procedural Rules and Regulations of the
Board of Trustees**

§2101. Agency Ineligibility

A. The fund does not meet the criteria pursuant to Act 393 to be eligible to conduct open public meetings via electronic means, because it

1. is not a state agency as defined by R.S. 49:951; and
2. has powers, duties or functions that are limited in scope to a particular political subdivision or region.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 50:780 (June 2024), repromulgated LR 51:70 (January 2025).

§2103. Disability Accommodations

A. Despite ineligibility to conduct open meetings via electronic means, nonetheless the fund is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

B. People with disabilities are defined as any of the following:

1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
2. a designated caregiver of such a person; or
3. a participant member of the fund with an ADA-qualifying disability.

C. The written public notice for an open meeting, as required by R.S. 42:19, shall include the name, telephone number and email address of the fund representative to whom a disability accommodation may be submitted.

D. The requestor shall be provided with an accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

E. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 50:780 (June 2024), repromulgated LR 51:70 (January 2025).

Thomas Meagher
Secretary-Treasurer

2501#024

RULE

**Department of Health
Bureau of Health Services Financing**

Professional Services Program
Reimbursement Methodology
(LAC 50:IX.15113)

The Department of Health, Bureau of Health Services Financing has amended LAC 50:IX.15113 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq. This Rule is hereby adopted on the day of promulgation.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part IX. Professional Services Program
Subpart 15. Reimbursement
Chapter 151. Reimbursement Methodology
Subchapter B. Physician Services
§15113. Reimbursement Methodology

A - M. ...

N. Effective for dates of service on or after January 20, 2025, the department allows for the coverage of certain physician administered drugs (specifically biosimilars) by all Mary Bird Perkins (MBP) Cancer Center locations throughout Louisiana. Coverage of biosimilar medications will be made for CPT codes listed on the Louisiana Medicaid MBP biosimilars fee schedule and reimbursement will be determined using the following methodology.

1. Reimbursement and periodic updates to the rates shall be made in accordance with the approved Louisiana Medicaid State Plan provisions governing physician-administered drugs in a physician office setting:

a. average sales price (ASP) plus 6 percent, for drugs appearing on the Medicare file;

b. reimbursement rates for drugs that do not appear on the Medicare file shall be determined utilizing the following alternative methods:

i. the wholesale acquisition cost (WAC) of the drug, if available;

ii. if there is no WAC available, the reimbursement rate will be 100 percent of the provider's current invoice for the dosage administered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 36:1252 (June 2010), amended LR 36:2282 (October 2010), LR 37:904 (March 2011), LR 39:3300, 3301 (December 2013), LR 41:541 (March 2015), LR 41:1119 (June 2015), LR 41:1291 (July 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 44:62 (January 2018), amended by the Department of Health, Bureau of Health Services Financing, LR 44:62 (January 2018), LR 47:477 (April 2021), LR 47:887 (July 2021), LR 48:1100 (April 2022), LR 51:71 (January 2025).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Michael Harrington, MBA, MA
Secretary

2510#045

RULE

Department of Health
Health Standards Section

Ambulatory Surgical Center
Licensing Standards
(LAC 48:I.4531)

The Department of Health, Health Standards Section, has amended LAC 48:I.4531 as authorized by R.S. 36:254 and R.S. 40:2131-2141. This Rule has been promulgated in

accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 48

PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 3. Licensing and Certification
Chapter 45. Ambulatory Surgical Center
Subchapter B. Administration and Organization
§4531. Governing Body

A - C. ...

D. The governing body of an Ambulatory Surgical Center (ASC) shall:

1. ...

2. ensure that the ASC is adequately funded and fiscally sound which entails a line of credit issued from a federally insured, licensed lending institution in the amount of at least \$100,000.

a. - b. Repealed.

3. - 15.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2131-2141.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 43:1740 (September 2017), amended by the Department of Health, Health Standards Section, LR 51:71 (January 2025).

Michael Harrington, MBA, MA
Secretary

2501#061

RULE

Department of Health
Health Standards Section

Free-Standing Birth Centers
Licensing Standards
(LAC 48:I.Chapter 67)

The Department of Health, Health Standards Section, has amended LAC 48:I.Chapter 67 as authorized by R.S. 36:254 and R.S. 40:2180.21-2189.28. This Rule has been promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 48

PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 3. Licensing and Certification
Chapter 67. Free-Standing Birth Centers
Subchapter A. General Provisions
§6713. Types of Licenses and Expiration Dates

A. The department shall have the authority to issue the following types of licenses.

1. ...

2. Provisional Initial License. The department may issue a provisional initial license for a period not to exceed six months to an FSBC when the initial licensing survey finds that the FSBC is noncompliant with any licensing laws or regulations or any other required statutes, laws, ordinances, rules, regulations or fees, but the department determines that the noncompliance does not present a threat

to the health, safety or welfare of the clients. A provisional license may also be issued after an initial licensing survey to allow the FSBC to become accredited.

a. At the discretion of the department, the provisional license may be extended for an additional period not to exceed twelve months in order for the FSBC to reach accreditation status.

3. - 4.j. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2110 (August 2022), amended by the Department of Health, Health Standards Section, LR 51:71 (January 2025).

§6717. Renewal of License

A. - E. ...

F. A CHOW of the FSBC shall not be submitted at the time of renewal of the FSBC's license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2111 (August 2022), amended LR 49:482 (March 2023), amended by the Department of Health, Health Standards Section, LR 51:72 (January 2025).

§6719. Deemed Status

A. - H. ...

I. An FSBC approved for deemed status is subject to and shall comply with all provisions of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2112 (August 2022), amended by the Department of Health, Health Standards Section, LR 51:72 (January 2025).

Subchapter B. Administration and Organization

§6737. Policies and Procedures

A. - G. ...

H. The FSBC shall have written policies and procedures approved by the governing body, which shall be implemented and followed, that address, at a minimum, the following:

1. - 12. ...

13. hours outside of stated usual and customary operation, including, but not limited to early closures, extended business hours, and holidays;

14. conditions for coverage, if applicable; and

15. preventing, responding to, reporting, and mitigating instances of healthcare workplace violence in accordance with R.S. 40:2199.12(3), or current law.

I. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2116 (August 2022), amended by the Department of Health, Health Standards Section, LR 51:72 (January 2025).

Subchapter D. Service Delivery

§6761. Discharges

A. - C. ...

D. Upon discharge, the FSBC shall:

1. provide each client and their family member(s) with written discharge instructions, including available resources and written guidelines detailing how the client may get emergency assistance for herself and her newborn;

2. - 3.g....

4. ensure that all clients and their family member(s) are informed, either in advance of their delivery or prior to leaving the FSBC, of the following:

a. - c. ...

E. The FSBC shall ensure that each client has a discharge order signed by the licensed healthcare practitioner;

F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2120 (August 2022) amended by the Department of Health, Health Standards Section, LR 51:72 (January 2025).

Michael Harrington, MBA, MA
Secretary

2510#062

RULE

Department of Health Health Standards Section

Healthcare Facility Sanctions
(LAC 48:I.4603)

The Department of Health, Health Standards Section, has amended LAC 48:I.4603 as authorized by R.S. 36:254, R.S. 40:2009.11, 40:2009.23, 40:2199, and 40:2199.1. This Rule has been promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 46. Healthcare Facility Sanctions

Subchapter A. General Provisions

§4603. Definitions

* * *

Repeat Violation—either of the following:

1. the existence of the violation is established as of a particular date, and it is one that may be reasonably expected to continue until corrective action is taken. The department may elect to treat the cited continuing violation as a repeat violation subject to appropriate sanction for each day following the date on which the initial violation is established until such time as there is evidence that the violation has been corrected; or

2. the existence of a violation is established and another violation that is the same or substantially similar to the cited violation occurs within 18 months. The second and all similar violations occurring within an 18 month time period will be considered as repeat violations and sanctioned accordingly.

Sanction—any adverse action imposed on a facility by the department pursuant to its statutory or regulatory authority for a violation of a statute, law, rule, or regulation. For purposes of this Rule, sanction does not include the following:

1. any adverse action that may be applied to a facility by the statewide management organization, the department's program integrity section or its successor, or by a contracted coordinated care network with the Healthy Louisiana program, or its successor;

2. any adverse action that may be applied to a facility by an agency of the federal government or another state agency;

3. a deficiency; or

4. an immediate jeopardy determination.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2009.11, 40:2009.23, 40:2199 and 40:2199.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 39:3077 (November 2013), amended by the Department of Health, Bureau of Health Services Financing, LR 49:1215 (July 2023), amended by the Department of Health, Health Standards Section, LR 51:72 (January 2025).

Michael Harrington, MBA, MA
Secretary

2501#063

RULE

Department of Health Office of Public Health

Commercial Body Art (LAC 51:XXVIII.107)

Under the authority of R.S. 40:4 and 40:5 and 40:2831 et seq., and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the state health officer, acting through the Louisiana Department of Health, Office of Public Health (LDH-OPH), has amended Part XXVIII (Commercial Body Art) of Title 51. These amendments are to comply with the provisions of Act 365 of the 2024 Regular Legislature. This Rule is hereby adopted on the day of promulgation.

Title 51

PUBLIC HEALTH—SANITARY CODE

Part XXVIII. Commercial Body Art

Chapter 1. Commercial Body Art Regulation

§107. Practice Standards; Restrictions

[Formerly Paragraph 28:004]

A. [Formerly Paragraph 28:004-1] Prior to any body art procedure, a consent form shall be completed and signed by each client. This consent form shall include a prominent statement regarding the regulatory status of any inks being used for the procedure (i.e., whether those inks are regulated or approved by the state of Louisiana or the federal Food and Drug Administration). Aftercare instructions shall be given to the client both verbally and in writing after every service. The written care instructions shall advise the client to consult the body art operator or a qualified health care professional at the first sign of abnormal inflammation/swelling or possible infection.

B. - M. ...

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4, R.S. 40:5, and 40:2833.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:1458 (June 2002), amended LR 51:73 (January 2025).

Dr. Ralph Abraham
Surgeon General
and
Michael Harrington, MBA, MA
Secretary

2501#051

RULE

Department of Insurance Office of the Commissioner

Regulation 112—Adoption of NAIC Handbooks,
Guidelines, Forms, and Instructions
(LAC 37:XIII.Chapter 161)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby amends Regulation 112.

The purpose of the amendment to Regulation 112 is to identify and to incorporate by reference the current edition of handbooks, guidelines, forms, and instructions adopted by the National Association of Insurance Commissioners (NAIC) and referenced in the Louisiana Insurance Code. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII.Regulations

Chapter 161. Regulation Number 112—Adoption of NAIC Handbooks, Guidelines, Forms and Instructions

§16101. NAIC Handbooks, Guidelines, Forms and Instructions Incorporated by Reference

A. ...

B. The following NAIC handbooks, guidelines, forms, and instructions are hereby adopted and incorporated by reference:

1. The Financial Condition Examiner's Handbook, 2023 edition.

2. The Annual and Quarterly Statement Instructions, Property and Casualty, 2023 edition.

3. The Annual and Quarterly Statement Instructions, Life, Accident, and Health, 2023 edition.

4. The Annual and Quarterly Statement Instructions, Health, 2023 edition.

5. The Annual and Quarterly Statement Instructions, Title, 2023 edition.

6. The Annual and Quarterly Statement Instructions, Fraternal, 2023 edition.

7. The Annual and Quarterly Statement Blanks, Property and Casualty, 2023 edition.

8. The Annual and Quarterly Statement Blanks, Life, Accident, and Health, 2023 edition.

9. The Annual and Quarterly Statement Blanks, Health, 2023 edition.

10. The Annual and Quarterly Statement Blanks, Title, 2023 edition.

11. The Annual and Quarterly Statement Blanks, Fraternal, 2023 edition.

12. The Accounting Practices and Procedures Manual, 2023 edition.

13. The Financial Analysis Handbook, 2023 edition.
14. The Own Risk and Solvency Assessment Guidance Manual, 2023 edition.
15. The Purposes and Procedures Manual of the NAIC Investment Analysis Office, 2023 edition.
16. The Risk-Based Capital Forecasting and Instructions, 2023 edition.
17. The Market Regulation Handbook, 2023 edition.

C. - D.3 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 258, 619(B), 640(B), 675, 661(A), 691.11, 691.54, and 1804.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 45:1208 (September 2019), amended LR 46:993 (July 2020), amended LR 47:1328 (September 2021), LR 48:2299 (September 2022), amended LR 49:1410 (August 2023), LR 51:73 (January 2025).

Timothy J. Temple
Commissioner

2501#020

RULE

Department of Insurance Office of the Commissioner

Regulation 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund (LAC 37:XIII.Chapter 201)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby promulgates Regulation 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund.

The Department of Insurance is promulgating Regulation 132 to comply with Act No. 259 of the 2023 Regulation Session of the Louisiana Legislature that enacted R.S. 22:472.1 through 472.20 authorizing the creation of the Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund and giving the Department of Insurance authority over such fund. Act 259 directed the Louisiana State Law Institute to redesignate R.S. 22:472.1 through 472.20 as R.S. 12:1851 through 1870. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 201. Regulation Number 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund

§20101. Definitions

A. For the purposes of Regulation 125, the following terms are defined as follows:

Commissioner—the Commissioner of Insurance of the state of Louisiana.

Department—the Department of Insurance of the state of Louisiana.

Fund—the self-insurance fund established pursuant to R.S. 12:1851 et seq. to provide property insurance for churches and nonprofit religious organizations and shall be

known as the Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund.

Insolvency—the condition existing when the fund's liabilities are greater than the fund's assets as determined in accordance with generally accepted accounting principles as delineated in the fund's financial statement audited by an independent certified public accountant and calculated before a member's distribution is payable or before a dividend is declared.

Members Distribution Payable/Surplus—assets of the fund in excess of loss reserves, actual and contingent liabilities and loss development reserves in all fund years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:74 (January 2025).

§20103. Excess Insurance or Reinsurance

A. The fund shall maintain excess insurance or reinsurance in the amount approved by the commissioner, based on an actuarially sound catastrophe model that limits the fund's exposure on any one loss occurrence to 20 percent of its members distribution payable/surplus or an amount authorized by the commissioner.

1. The fund shall submit a feasibility study prepared by a qualified actuary which analyzes the impact the specific retention on the fund.

2. No fund shall secure a retention which in the commissioner's opinion is not actuarially sound.

3. The commissioner shall deny the use of a retention if he finds that the higher retention will have a significant adverse effect on the financial condition of the fund.

B. The excess insurance or reinsurance coverage shall provide for one or more reinstatements.

C. All excess insurance or reinsurance agreements shall be approved by the department prior to execution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:74 (January 2025).

§20105. Financial and Actuarial Reports

A. At inception and thereafter, the fund shall either:

1. Provide evidence satisfactory to the commissioner that it possesses surplus in excess of \$3,000,000, or

2. Submit a current audited financial statement, audited by an independent certified public accountant, of at least two members showing, at the inception of the fund, a combined net worth of a minimum of \$1,000,000, current financial statements of all other members, a combined ratio of current assets to current liabilities of more than one to one, a combined working capital of an amount establishing financial strength and liquidity of the members to pay normal compensation claims promptly, and showing evidence of the financial ability of the group to meet its obligations. An audited or a financial statement properly certified by an officer, owner, or partner for all members joining the fund after the inception date shall be submitted to the commissioner until such time as an audited financial statement is available for the fund as a whole. Thereafter, the filing of member financial statements with the department is no longer required. In no event shall the cumulative net

worth or ratio of the current assets to current liabilities of all members be less than that required in this Subsection.

B. An annual financial statement audited by an independent certified public accountant shall be due annually within six months of the close of the fiscal year of the fund, unless an extension is granted by the commissioner.

C. Actuarial reviews shall be made by a qualified actuary. Actuarial reports shall be due and filed at the same time as the fund's annual financial statement, except as otherwise provided by the commissioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:74 (January 2025).

§20107. Insolvencies

A. Pursuant to R.S. 12:1862(D)(1), the fund is subject to delinquency proceedings that shall be governed by the applicable provisions of R.S. 22:731, et seq., pertaining to administrative supervisions, or the applicable provisions of R.S. 22:2001, et seq., pertaining to receivership, that are not inconsistent with the provisions of R.S. 12:1851, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:75 (January 2025).

§20109. Cease and Desist Orders and Other Penalties

A.1 After notice and opportunity for a hearing, the commissioner may issue an order requiring a person or group to cease and desist from engaging in an act or practice found to be not in compliance with R.S. 12:1851, et seq. or with any rule promulgated by the department pursuant to the Administrative Procedure Act or order or directive issued by the department. Any cease and desist order issued under this Section may include a prohibition against the fund writing any new or renewal business.

2. After notice and opportunity for a hearing, the commissioner may suspend or revoke the certificate of authority of the fund found to be not in compliance with R.S. 12:1851, et seq. or with any rule promulgated by the department pursuant to the Administrative Procedure Act or order or directive issued by the department.

B. Upon the determination that the fund failed to comply with any provision of R.S. 12:1851 et seq., any rule or regulation promulgated by the department, or orders or directives issued by the commissioner, the department may levy a fine of up to \$2,000 for each violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:75 (January 2025).

Timothy J. Temple
Commissioner

2501#019

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Recreational and Commercial Harvests; Prohibitions (LAC 76:XV.101)

The Wildlife and Fisheries Commission does hereby amend LAC 76:XV.101 Recreational and Commercial Harvest Limits and Prohibitions relative to native and nonnative reptile and amphibian regulations, including general considerations, collecting, methods of collection, restraint and handling, housing and maintenance, permitting, and licensee responsibilities.

The commission also amends the original Rule to clarify and/or modify language regarding access to potable water for captive reptiles; enclosure sizes for snakes, turtles, and tortoises; and the grace period for registering prohibited or restricted species with the department, as well as commercial sale of said species, as applicable. This Rule is hereby adopted on the day of promulgation.

Title 76

WILDLIFE AND FISHERIES

Part XV. Reptiles and Amphibians

Chapter 1. Guidelines

§101. Recreational and Commercial Harvests; Prohibitions

A. Purpose. These regulations are to govern the collection, commerce, captive maintenance, and research and management of native and certain exotic species of reptiles and amphibians. Consistent with the constitutional authority and legislative mandates, the Wildlife and Fisheries Commission and Department of Wildlife and Fisheries support the following guidelines, principles and regulations for collectors, buyers/dealers and any person handling native species of reptiles and amphibians.

B. General Considerations

1. The living conditions of animals held in captivity shall be appropriate for that species and contribute to their health and well-being. The housing, feeding, and nonmedical care of the animals shall be directed by a person experienced in proper care, handling, and use of the species being maintained and follow species appropriate industry guidelines such as Association of Zoos and Aquariums (AZA) Animal Wellbeing Resources and the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research.

2. It is unlawful to release, within the state, captive or wild native or nonnative reptiles and amphibians, from within or outside the state, unless approved and permitted by the department in accordance with R.S. 56:20.A. Exceptions may be granted for department-permitted Nuisance Wildlife Control Operators (NWCOS).

3. Endangered, threatened, or restricted species shall not be removed from the wild, nor imported or exported, except in compliance with applicable regulations.

4. Persons engaged in herpetological research shall possess a Scientific Research and Collecting Permit prior to removal of native reptiles or amphibians from the wild. Removal of species that are tending nests in the wild is prohibited during the nesting season unless for scientific reasons and permitted by the department via a Scientific Research and Collecting Permit.

C. Collecting

1. Live-capture techniques shall be used to prevent or minimize damage to the animal.

2. Traps shall be checked, at minimum, once daily. Investigators must make every effort to prevent trap deaths from exposure, drowning, cardiogenic shock, or capture myopathy.

3. Removal or handling of native reptiles and amphibians on State Wildlife Management Areas, Refuges, and Conservation Areas is prohibited without a WMA Access Permit, Self-Clearing Permit, and a Reptile/Amphibian WMA Use Permit from the Department of Wildlife and Fisheries pursuant to Paragraphs G.2 and J.2 herein. Collecting shall be conducted so as to leave habitat as undisturbed as possible. Removal of animals from any breeding or hibernation aggregation or collection of gravid females from any population shall be avoided unless for scientific reasons and permitted by the department via a Scientific Research and Collecting Permit.

D. Methods of Collection (R.S. 56:632.6)

1. The use of gasoline, chemicals, or other volatile substances to flush reptiles and amphibians from natural hiding places, nests, burrows, or dens is prohibited.

2. The destruction of natural habitats is prohibited. All logs, rocks, stumps, and other natural objects may be turned over or moved, but they must be replaced in their original position upon completion of the collector's inspection.

3. Any trap or other device designed to capture reptiles or amphibians, which remains in the field unattended between routine inspections as required herein, must bear a tag with the name, address, and license number of the collector. All such devices must be inspected at least once every 24 hours or they must be rendered unworkable and removed from the field during periods of non-use.

E. Restraint and Handling

1. General Principles. Captive animals shall be properly restrained and follow the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research. The decision to use physical or chemical restraint of wild amphibians or reptiles shall be based upon knowledge of behavior of the animals, and availability of facilities. Collectors shall determine and use the least amount of restraint necessary to confine animals in a humane manner. Species shall not be confined with other species (other than food prey) that they may injure.

2. Animals shall be handled calmly and with minimum personnel necessary. Darkened conditions tend to alleviate stress and calm the animals and are recommended whenever appropriate. When handling, placing, or dropping large reptiles into a bag, the use of hooks, tongs, etc., is preferable to reduce stress to the animal and potential harm to the animal and handler during capture.

3. Euthanasia of reptiles or amphibians shall be performed humanely following the guidelines adopted by the

American Veterinary Medical Association (AVMA), which shall ensure pain and distress to the animal is minimized to the extent possible.

F. Housing and Maintenance

1. Captive maintenance shall incorporate those aspects of natural habitat deemed important to the survival and well-being of the animal and follow species appropriate industry guidelines such as AZA Animal Care Manuals and the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research. Individuals partaking in the care of captive reptiles and amphibians shall become familiar with the life history needs of the species in captivity and provide enclosure and holding conditions that create a humane environment. Captive conditions shall demonstrate the ability to prevent diseases or parasites. In the event that a captive animal exhibits signs of illness or injury, said animal shall be evaluated by a licensed veterinarian within 48 hours. A letter from the consulting veterinarian or veterinary practice may be requested by Department of Wildlife and Fisheries personnel at any time. Adequacy of maintenance, relative to the natural environment, shall be evaluated by monitoring a combination of factors such as changes in growth and weight, survival rates, breeding success, activity levels, general behavior, and appearance. Captive environments shall include necessary features to ensure all physical, social, and behavioral needs of the species are met, such as appropriate enclosure size and ventilation; natural, or appropriate, bedding materials; cover or hiding places; basking platforms; potable water; and water baths. Potable water shall be accessible and meet requirements as appropriate for the species. Natural foods should be duplicated as closely as possible, as should natural light, moisture, and temperature conditions unless alterations of these are factors under investigation for scientific purposes and permitted by the department via a Scientific Research and Collecting Permit. Failure to comply will result in penalties in accordance with Subsection L of this Rule and may result in confiscation and forfeiture of subject animals.

a. Snakes 8 feet in length and longer—the perimeter of the enclosure shall not be less than the length of the snake, and the height of the enclosure shall not be less than twelve inches. Snakes less than 8 feet in length—minimum enclosure size shall be relative to the length of the body and tail and shall be 1/2 that length on the longest side.

b. Turtles and tortoises—minimum enclosure size shall be based on the straight-line carapace (top shell) length, and shall be 5 times that length on the longest side, 3 times that length on the shortest side, and 2 times that length in height. Turtles possessed for commercial purposes by Louisiana Department of Agriculture and Forestry licensed turtle farmers are exempt from the enclosure sizes herein.

c. Lizards—minimum enclosure size shall be based relative to the length of the body and tail and shall be at least 1.5 times that length on the longest side, 1 times on the shortest side, and 1.2 times in height.

2. Frequency of cage cleaning shall be adequate to prevent unsanitary conditions or disease and minimize stress to the animal.

G. Turtle Rules and Regulations

1. Commercial Use of Native Turtles is Prohibited.

a. No person shall commercially take, possess, sell, purchase, trade, barter, exchange, import or export native turtles, their eggs, or any parts thereof, or attempt to commercially take, possess, sell, purchase, trade, barter, exchange, import or export native turtles, their eggs, or any parts thereof. Except that nothing herein shall prohibit the legal commercial sale and possession of native turtles by the Department of Agriculture and Forestry (LDAF) licensed turtle farmers as provided in R.S. 56:632 et seq., and R.S. 3:2358.1 et seq., which were legally acquired prior to the effective date of this prohibition or imported legally into this state and which have proper records documenting legal acquisition. Subsequent to the effective date of this Rule, approval from the Department of Wildlife and Fisheries via a Reptile/Amphibian Broodstock Collection Permit is required for LDAF licensed turtle farmers to acquire native turtles from the wild, for captive breeding purposes only. LDAF turtle farms that are newly licensed subsequent to the effective date of this Rule shall not be eligible for a permit to collect native turtles from the wild. Alligator Snapping Turtles, Razor-backed Musk Turtles, box turtles, and any prohibited turtle species as listed in Paragraph G.4 herein will not be permitted for wild collection. LDAF turtle farms will be limited to three designated agents for collecting native turtles from the wild and all designated agents shall be listed on the Reptile/Amphibian Broodstock Collection Permit. Each designated agent shall possess a valid Reptile/Amphibian Collector's License, pursuant to R.S. 56:632.4, and a copy of the Reptile/Amphibian Broodstock Collection Permit while in possession of wild-caught turtles. Reptile/Amphibian Broodstock Collection Permits shall include parameters set forth by the department along with each designated agent's name, date of birth, driver license number, and Reptile/Amphibian Collector's License number. Reptile/Amphibian Broodstock Collection Permits and Reptile/Amphibian Collector's Licenses shall be acquired from the department's State Herpetologist or their designee. Permit and license holders will be required to comply with all reporting requirements set forth by the department. No LDAF licensed turtle farmer or their designated agent shall have had a Title 56 or Title 76, Class 3 or higher conviction within three years prior to application submittal.

2. Recreational Take and Possession Limit.

a. No person shall collect or possess more than 10 restricted turtles, as listed in Paragraph G.3 herein, in any combination, with no individual species to exceed two per person at any time, except for the Alligator Snapping Turtle which shall be restricted to one per person per day and a possession limit of one unless approved and permitted by the Department of Wildlife and Fisheries for scientific, exhibition, or educational use. Persons engaged in collection and possession of native turtles for recreational purposes shall possess a basic recreational fishing license. Persons engaged in collection and possession of native turtles for recreational purposes on Department of Wildlife and Fisheries owned or managed lands shall possess a basic recreational fishing license, a WMA Access Permit, and a Reptile/Amphibian WMA Use Permit that shall be acquired from the department's State Herpetologist or their designee and will require mandatory reporting. Accredited and certified zoos, aquariums, universities, and research and nature centers will be exempt from native turtle possession

limits via a department-issued permit. Other facilities may be exempt from native turtle possession limits at the discretion of the department's State Herpetologist or their designee via a department-issued permit.

b. No person shall collect, possess, transport, or export prohibited turtle species, as listed in Paragraph G.4 herein, unless approved and permitted by the Department of Wildlife and Fisheries for scientific, exhibition, or educational use. Individuals exceeding the possession limit for restricted turtles or in possession of prohibited turtles shall have 180 days from the effective date of this rule to register those turtles with the department's State Herpetologist or their designee. The acquisition of additional turtles is prohibited until the number of restricted turtles in possession is below the limit set forth herein. No person with a temporary exemption to possess prohibited turtles shall acquire additional prohibited turtles, subsequent to the effective date of this Rule, or once said turtles have expired. Permits for registered prohibited turtles shall be renewed annually and permit holders shall renew their permit within 30 days of the expiration date. Facilities housing prohibited turtles shall be open to inspection, as requested, prior to issuance of a permit and at other times deemed necessary to ensure permit compliance by Department of Wildlife and Fisheries personnel or other persons authorized by the department to perform such inspections. No person shall transfer possession of native turtles that exceed the possession limits set forth herein except to the Department of Wildlife and Fisheries or its designated agent. It is unlawful to collect, possess, transport, or export any turtles designated as endangered or threatened pursuant to the Endangered Species Act of 1973 as listed in Paragraph J.6 herein, absent a valid permit.

i. Collection of eggs of any native turtle species is prohibited.

ii. Possession of more than two native box turtles, regardless of species, is prohibited.

iii. No person shall possess restricted turtles taken with commercial gear in accordance with R.S. 56:305.

iv. Department-permitted wildlife rehabilitators may be exempted from native turtle possession limits and prohibitions set forth herein, via a department-issued permit.

v. In all instances, except with regard to turtle farmers licensed through LDAF while operating in accordance with their applicable licenses, it shall be unlawful to engage in captive breeding activities for native turtles or to release captive turtles, regardless of age or species, into the wild unless approved and permitted by the Department of Wildlife and Fisheries. Offspring from unauthorized captive breeding activities shall be surrendered to the department.

vi. Disruption, damage, or destruction to gopher tortoise burrows is prohibited.

3. Restricted Turtles

a. List of restricted turtles:

- i. Snapping Turtle—*Chelydra serpentina*;
- ii. Alligator Snapping Turtle—*Macrochelys temminckii*;
- iii. Mississippi Mud Turtle—*Kinosternon subrubrum hippocrepis*;
- iv. Razor-backed Musk Turtle—*Sternotherus carinatus*;

- v. Eastern Musk Turtle—*Sternotherus odoratus*;
 - vi. Southern Painted Turtle—*Chrysemys dorsalis*;
 - vii. Ouachita Map Turtle—*Graptemys ouachitensis*;
 - viii. Mississippi Map Turtle—*Graptemys pseudogeographica kohnii*;
 - ix. Sabine Map Turtle—*Graptemys sabinensis*;
 - x. Box Turtles—*Terrapene* sp.
 - xi. Eastern River Cooter—*Pseudemys concinna concinna*;
 - xii. Red-eared Slider—*Trachemys scripta elegans*;
 - xiii. Smooth Softshell—*Apalone mutica*;
 - xiv. Spiny Softshell—*Apalone spinifera*;
4. Prohibited Turtles
- a. List of Prohibited Turtles
 - i. Stripe-necked Musk Turtle—*Sternotherus minor peltifer*;
 - ii. Eastern Chicken Turtle—*Deirochelys reticularia reticularia*;
 - iii. Western Chicken Turtle—*Deirochelys reticularia miaria*;
 - iv. Ringed Map Turtle—*Graptemys oculifera*; Federally Threatened;
 - v. Pearl River Map Turtle—*Graptemys pearlensis*; Federally Threatened;
 - vi. Mississippi Diamond-backed Terrapin—*Malaclemys terrapin pileata*;
 - vii. Gopher Tortoise—*Gopherus polyphemus*; Federally Threatened;
 - viii. Green Sea Turtle—*Chelonia mydas*; Federally Threatened;
 - ix. Loggerhead Sea Turtle—*Caretta caretta*; Federally Threatened;
 - x. Kemp’s Ridley Sea Turtle—*Lepidochelys kempii*; Federally Endangered;
 - xi. Hawksbill Sea Turtle—*Eretmochelys imbricata*; Federally Endangered;
 - xii. Leatherback Sea Turtle—*Dermochelys coriacea*; Federally Endangered.
 - b. Transport and release of turtles from within or outside of the state is prohibited unless permitted by the department.

5. Nuisance Wildlife Control Operators (NWCO), as permitted through the department in accordance with the LAC 76:V.127 and the rules therein, shall be exempt from take and possession limits. NWCO permittees are only authorized to live trap and relocate, live trap and euthanize, or lethally trap reptiles and amphibians that are not protected by federal law. Animals that are not euthanized may not be released on department owned or managed land and may not be sold, bartered or exchanged. NWCO permittees shall not relocate or release Red-eared Sliders off site. Euthanasia of captured animals shall be performed humanely following AVMA guidelines, as referenced in Paragraph E.3 herein, which shall ensure pain and distress to the animal is minimized to the extent possible. Private landowners may harvest Red-eared Sliders considered a nuisance on private property owned by the landowner, given that said turtles are humanely euthanized in accordance with AVMA guidelines and shall not be transported or released off site.

6. Turtle Trap—any device constructed with horizontal funnel entrances not positioned in tandem, or

opening on the upper surface, with or without attractants, to allow constant functional breathing of any air-breathing captured specimens, designed to attract and/or capture turtles in aquatic habitats.

a. Each trap or device shall be clearly marked as “TURTLE TRAP” and must bear a tag with the name, address, and license number of the collector.

b. Trap or device placement in the water column shall provide continuous breathing opportunities for the captured specimens by having openings in the upper surface to allow functional breathing of the captured specimens.

c. All fish and/or other nontarget species shall be released into the wild upon discovery or within 24 hours, whichever comes first.

H. ...

I. Checklist of native or established nonnative amphibians and reptiles of Louisiana as listed by Boundy J. and Carr J., 2017, *Amphibians and Reptiles of Louisiana*, LSU Press. Taxonomy following Crother, B.I. (ed.). 2017, *Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico, with Comments Regarding Confidence in Our Understanding*, pp. 1-102, SSAR Herpetological Circular 43 and Pyron, R.A. and Beamer, D.A. 2023, *Systematic Revision of the Spotted and Northern Dusky Salamanders (Plethodontidae: Desmognathus conanti and D. fuscus)*, with six new species from the eastern United States, *Zootaxa* Vol. 5311 (4): 451-504.

1. Salamanders

a. Family Ambystomatidae

- i. Spotted Salamander—*Ambystoma maculatum*;
- ii. Marbled Salamander—*Ambystoma opacum*;
- iii. Mole Salamander—*Ambystoma talpoideum*;
- iv. Small-mouthed Salamander—*Ambystoma texanum*;
- v. Eastern Tiger Salamander—*Ambystoma tigrinum*;

b. Family Amphiumidae

- i. Two-toed Amphiuma—*Amphiuma means*;
- ii. Three-toed Amphiuma—*Amphiuma tridactylum*;

c. Family Plethodontidae

- i. Spotty Dusky Salamander—*Desmognathus conanti*;
- ii. Catahoula Spotted Dusky Salamander—*Desmognathus catahoula*;
- iii. Valentine’s Southern Dusky Salamander—*Desmognathus valentinei*;
- iv. Southern Two-lined Salamander—*Eurycea cirrigera*;
- v. Three-lined Salamander—*Eurycea guttolineata*;
- vi. Western Dwarf Salamander—*Eurycea paludicola*;
- vii. Southeastern Dwarf Salamander—*Eurycea quadridigitata*;
- viii. Four-toed Salamander—*Hemidactylum scutatum*;
- ix. Louisiana Slimy Salamander—*Plethodon kisatchie*;
- x. Mississippi Slimy Salamanders—*Plethodon mississippi*;

- xi. Southern Red-backed Salamander—*Plethodon serratus*;
- xii. Webster's Salamander—*Plethodon websteri*;
- xiii. Gulf Coast Mud Salamander—*Pseudotriton montanus flavissimus*;
- xiv. Southern Red Salamander—*Pseudotriton ruber vioscai*;
- d. Family Proteidae
 - i. Gulf Coast Waterdog—*Necturus beyeri*;
 - ii. Red River Mudpuppy—*Necturus maculosus louisianensis*;
- e. Family Salamandridae
 - i. Central Newt—*Notophthalmus viridescens louisianensis*;
- f. Family Sirenidae
 - i. Western Lesser Siren—*Siren intermedia nettingi*;
- 2. Toads and Frogs
 - a. Family Bufonidae
 - i. Dwarf American Toad—*Anaxyrus americanus charlesmithi*;
 - ii. Fowler's Toad—*Anaxyrus fowleri*;
 - iii. Oak Toad—*Anaxyrus quercicus*;
 - iv. Southern Toad—*Anaxyrus terrestris*;
 - v. Gulf Coast Toad—*Incilius nebulifer*;
 - b. Family Hylidae
 - i. Blanchard's Cricket Frog—*Acris blanchardi*;
 - ii. Eastern Cricket Frog—*Acris crepitans*;
 - iii. Southern Cricket Frog—*Acris gryllus*;
 - iv. Western Bird-voiced Treefrog—*Hyla avivoca avivoca*;
 - v. Cope's Gray Treefrog—*Hyla chrysoscelis*;
 - vi. Green Treefrog—*Hyla cinerea*;
 - vii. Pine Woods Treefrog—*Hyla femoralis*;
 - viii. Barking Treefrog—*Hyla gratiosa*;
 - ix. Squirrel Treefrog—*Hyla squirella*;
 - x. Gray Treefrog—*Hyla versicolor*;
 - xi. Cuban Treefrog—*Osteopilus septentrionalis*, established nonnative;
 - xii. Spring Peeper—*Pseudacris crucifer*;
 - xiii. Ornate Chorus Frog—*Pseudacris ornata*;
 - xiv. Strecker's Chorus Frog—*Pseudacris streckeri*;
 - xv. Cajun Chorus Frog—*Pseudacris fouquettei*;
 - c. Family Eleutherodactylidae
 - i. Rio Grande Chirping Frog—*Eleutherodactylus cystignathoides campi*, established nonnative;
 - ii. Greenhouse Frog—*Eleutherodactylus planirostris*, established nonnative;
 - d. Family Microhylidae
 - i. Eastern Narrow-mouthed Frog—*Gastrophryne carolinensis*;
 - e. Family Scaphiopodidae
 - i. Eastern Spadefoot—*Scaphiopus holbrookii*;
 - ii. Hurter's Spadefoot—*Scaphiopus hurterii*;
 - f. Family Ranidae
 - i. Southern Crawfish Frog—*Lithobates areolatus areolatus*;
 - ii. American Bullfrog—*Lithobates catesbeianus*;
 - iii. Green Frog—*Lithobates clamitans*;
 - iv. Pig Frog—*Lithobates grylio*;
 - v. Pickerel Frog—*Lithobates palustris*;
 - vi. Dusky Gopher Frog—*Lithobates sevosus*;

- vii. Coastal Plains Leopard Frog—*Lithobates sphenoccephalus utricularius*;
- 3. Turtles
 - a. Family Cheloniidae
 - i. Loggerhead Sea Turtle—*Caretta caretta*;
 - ii. Green Sea Turtle—*Chelonia mydas*;
 - iii. Atlantic Hawksbill Sea Turtle—*Eretmochelys imbricata imbricata*;
 - iv. Kemp's Ridley Sea Turtle—*Lepidochelys kempii*;
 - b. Family Chelydridae
 - i. Snapping Turtle—*Chelydra serpentina*;
 - ii. Alligator Snapping Turtle—*Macrochelys temminckii*;
 - c. Family Dermochelyidae
 - i. Leatherback Sea Turtle—*Dermochelys coriacea*;
 - d. Family Emydidae
 - i. Southern Painted Turtle—*Chrysemys dorsalis*;
 - ii. Western Chicken Turtle—*Deirochelys reticularia miaria*;
 - iii. Eastern Chicken Turtle—*Deirochelys reticularia reticularia*;
 - iv. Northern Map Turtle—*Graptemys geographica*;
 - v. Ringed Map Turtle—*Graptemys oculifera*;
 - vi. Pearl River Map Turtle—*Graptemys pearlensis*;
 - vii. Mississippi Map Turtle—*Graptemys pseudogeographica kohnii*;
 - viii. Ouachita Map Turtle—*Graptemys ouachitensis*;
 - ix. Sabine Map Turtle—*Graptemys sabinensis*;
 - x. Mississippi Diamond-backed Terrapin—*Malaclemys terrapin pileata*;
 - xi. Eastern River Cooter—*Pseudemys concinna concinna*;
 - xii. Gulf Coast Box Turtle—*Terrapene carolina major*;
 - xiii. Three-toed Box Turtle—*Terrapene carolina triunguis*;
 - xiv. Plains Box Turtle—*Terrapene ornata ornata*;
 - xv. Red-eared Slider—*Trachemys scripta elegans*;
 - e. Family Kinosternidae
 - i. Mississippi Mud Turtle—*Kinosternon subrubrum hippocrepis*;
 - ii. Razor-backed Musk Turtle—*Sternotherus carinatus*;
 - iii. Stripe-necked Musk Turtle—*Sternotherus minor peltifer*;
 - iv. Eastern Musk Turtle—*Sternotherus odoratus*;
 - f. Family Testudinidae
 - i. Gopher Tortoise—*Gopherus polyphemus*;
 - g. Family Trionychidae
 - i. Florida Softshell—*Apalone ferox*, established nonnative;
 - ii. Gulf Coast Smooth Softshell—*Apalone mutica calvata*;
 - iii. Midland Smooth Softshell—*Apalone mutica mutica*;
 - iv. Gulf Coast Spiny Softshell—*Apalone spinifera aspera*;

v. Pallid Spiny Softshell—*Apalone spinifera pallida*;

vi. Eastern Spiny Softshell—*Apalone spinifera spinifera*;

4. Lizards

a. Family Anguillidae

i. Western Slender Glass Lizard—*Ophisaurus attenuatus attenuatus*;

ii. Eastern Slender Glass Lizard—*Ophisaurus attenuatus longicaudus*;

iii. Eastern Glass Lizard—*Ophisaurus ventralis*;

b. Family Dactyloidae

i. Green Anole—*Anolis carolinensis*;

ii. Brown Anole—*Anolis sagrei*, established nonnative;

c. Family Gekkonidae

i. Sri Lankan Spotted House Gecko—*Hemidactylus parvimaclulatus*, established nonnative;

ii. Mediterranean Gecko—*Hemidactylus turcicus*; established nonnative;

d. Family Phrynosomatidae

i. Prairie Lizard—*Sceloporus consobrinus*;

e. Family Scincidae

i. Southern Coal Skink—*Plestiodon anthracinus pluvialis*;

ii. Common Five-lined Skink—*Plestiodon fasciatus*;

iii. Southeastern Five-lined Skink—*Plestiodon inexpectatus*;

iv. Broad-headed Skink—*Plestiodon laticeps*;

v. Southern Prairie Skink—*Plestiodon septentrionalis obtusirostris*;

vi. Little Brown Skink—*Scincella lateralis*;

f. Family Teiidae

i. Eastern Six-lined Racerunner—*Aspidoscelis sexlineata sexlineata*;

5. Snakes

a. Family Colubridae

i. Northern Scarletsnake—*Cemophora coccinea copei*;

ii. Buttermilk Racer—*Coluber constrictor anthicus*;

iii. Tan Racer—*Coluber constrictor etheridgei*;

iv. Eastern Yellow-bellied Racer—*Coluber constrictor flaviventris*;

v. Black-masked Racer—*Coluber constrictor latrunculus*;

vi. Southern Black Racer—*Coluber constrictor priapus*;

vii. Eastern Coachwhip—*Coluber flagellum flagellum*;

viii. Prairie Kingsnake—*Lampropeltis calligaster*;

ix. Scarlet Kingsnake—*Lampropeltis elapsoides*;

x. Western Milksnake—*Lampropeltis gentilis*;

xi. Speckled Kingsnake—*Lampropeltis holbrooki*;

xii. Eastern Black Kingsnake—*Lampropeltis nigra*;

xiii. Northern Mole Kingsnake—*Lampropeltis rhombomaculata*;

xiv. Eastern Milksnake—*Lampropeltis triangulum*;

xv. Northern Rough Greensnake—*Ophedrys aestivus aestivus*;

xvi. Red Cornsnake—*Pantherophis guttatus*;

xvii. Western Ratsnake—*Pantherophis obsoletus*;

xviii. Slowinski's Cornsnake—*Pantherophis slowinskii*;

xix. Gray Ratsnake—*Pantherophis spiloides*;

xx. Black Pinesnake—*Pituophis melanoleucus lodingi*;

xxi. Louisiana Pinesnake—*Pituophis ruthveni*;

xxii. Southeastern Crowned Snake—*Tantilla coronata*;

xxiii. Flat-headed Snake—*Tantilla gracilis*;

b. Family Crotalidae [Venomous]

i. Eastern Copperhead—*Agkistrodon contortrix*;

ii. Northern Cottonmouth—*Agkistrodon piscivorus*;

iii. Eastern Diamond-backed Rattlesnake—*Crotalus adamanteus*;

iv. Timber Rattlesnake—*Crotalus horridus*;

v. Western Pygmy Rattlesnake—*Sistrurus miliarius streckeri*;

c. Family Dipsadidae

i. Midwestern Wormsnake—*Carphophis amoenus helenae*;

ii. Western Wormsnake—*Carphophis vermis*;

iii. Mississippi Ring-necked Snake—*Diadophis punctatus stictogenys*;

iv. Western Mudsnake—*Farancia abacura reinwardtii*;

v. Common Rainbow Snake—*Farancia erythrogramma erythrogramma*;

vi. Eastern Hog-nosed Snake—*Heterodon platirhinos*;

vii. Pine Woods Littersnake—*Rhadinaea flavilata*;

d. Family Elapidae [Venomous]

i. Harlequin Coralsnake—*Micrurus fulvius*;

ii. Texas Gulf-Coast Coralsnake—*Micrurus tener tener*;

e. Family Natricidae

i. Rough Earthsnake—*Haldea striatula*;

ii. Delta Swampsnake—*Liodytes rigida deltae*;

iii. Gulf Swampsnake—*Liodytes rigida sinicola*;

iv. Gulf Saltmarsh Watersnake—*Nerodia clarkii clarkii*;

v. Mississippi Green Watersnake—*Nerodia cyclopion*;

vi. Plain-bellied Watersnake—*Nerodia erythrogaster*;

vii. Broad-banded Watersnake—*Nerodia fasciata confluens*;

viii. Northern Diamond-backed Watersnake—*Nerodia rhombifer rhombifer*;

ix. Midland Watersnake—*Nerodia sipedon pleuralis*;

x. Graham's Crayfish Snake—*Regina grahamii*;

xi. Red-bellied Snake—*Storeria occipitomaculata*;

xii. Orange-striped Ribbonsnake—*Thamnophis proximus proximus*;

xiii. Gulf Coast Ribbonsnake—*Thamnophis proximus orarius*;

xiv. Common Ribbonsnake—*Thamnophis saurita saurita*;

- xv. Eastern Gartersnake—*Thamnophis sirtalis sirtalis*;
- xvi. Western Smooth Earthsnake—*Virginia valeriae elegans*;
- f. Family Typhlopidae
 - i. Brahminy Blindsnake—*Indotyphlops braminus*, established nonnative;
- g. Family Alligatoridae
 - i. American Alligator—*Alligator mississippiensis*.

J. Native Reptile and Amphibian Regulations

1. The provisions in this Subsection apply to native reptile and amphibians except for the American Alligator in accordance with LAC 76:V.701 and native turtles in accordance with LAC 76:XV.101.G.2, and the rules set forth therein. The species listed in Paragraph J.4 herein are considered species of conservation concern and may not be killed or removed from the wild without a permit issued by the department. It shall be unlawful to collect, possess, transport, or export reptiles or amphibians designated as endangered or threatened pursuant to the Endangered Species Act of 1973 as listed in Paragraph J.6 herein, absent a valid permit.

a. The species listed in Paragraph J.4 herein may only be captured for research purposes deemed acceptable by the Department of Wildlife and Fisheries and immediately released alive without removal from the site as part of a scientific study, as permitted by the department via a Scientific Research and Collecting Permit.

2. License Requirements. A Reptile and Amphibian Collector's License is required to commercially collect and sell native reptiles and amphibians. A Reptile and Amphibian Wholesale/Retail Dealer's License is required for purchasing or acquiring native reptiles and amphibians, from within or outside the state, for sale or resale, or possessing native reptiles and amphibians for propagation for sale, in accordance with R.S. 56:632.5. Reptile/Amphibian Collector and Reptile/Amphibian Wholesale/Retail Dealer licenses shall be acquired from the department's State Herpetologist or their designee and must comply with associated reporting requirements set forth by the department. Persons engaged in collection and possession of native reptiles and amphibians for recreational purposes shall possess a basic recreational fishing license.

a. Commercial and recreational collection of native reptiles and amphibians on Department of Wildlife and Fisheries owned or managed lands requires a Reptile/Amphibian WMA Use permit, with mandatory reporting, acquired from the department's State Herpetologist or their designee. Commercial collection of native reptiles and amphibians on department owned or managed lands is only permitted for Louisiana residents.

b. Nuisance Wildlife Control Operators, as permitted through the department in accordance with the LAC 76:V.127 and the rules therein, shall be exempt from take and possession limits.

c. All persons selling native, captive-reared reptiles and amphibians, regardless of the number of generations removed from the wild, shall be required to possess a Reptile and Amphibian Wholesale/Retail Dealer's License, pursuant to R.S. 56:632.5.B.

d. Pursuant to R.S. 56:634, bullfrogs (*Lithobates catesbeianus*) and pig frogs (*Lithobates grylio*) may be taken year round except during the months of April and May; and no person shall take or possess bullfrogs that are less than five inches in length, nor take or possess pig frogs that are less than three inches in length. The length is measured from the tip of the muzzle to the posterior end of the body between the hind legs.

3. Organized events that wantonly or willfully waste native amphibians or reptiles are prohibited.

4. List of amphibians and reptiles that may not be killed or removed from the wild without a department-issued permit:

- a. Eastern Tiger Salamander—*Ambystoma tigrinum*;
- b. Four-toed Salamander—*Hemidactylum scutatum*;
- c. Valentine's Southern Dusky Salamander—*Desmognathus valentinei*;
- d. Southeastern Dwarf Salamander—*Eurycea quadridigitata*;
- e. Southern Red-backed Salamander—*Plethodon serratus*;
- f. Webster's Salamander—*Plethodon websteri*;
- g. Louisiana Slimy Salamander—*Plethodon kisatchie*;
- h. Mud Salamander—*Pseudotriton montanus flavissimus*;
- i. Red Salamander—*Pseudotriton ruber vioscai*;
- j. Strecker's Chorus Frog—*Pseudacris streckeri*;
- k. Southern Crawfish Frog—*Lithobates areolatus areolatus*;
- l. Red River Mudpuppy—*Necturus louisianensis*;
- m. Southern Prairie Skink—*Plestiodon septentrionalis obtusirostris*;
- n. Western Wormsnake—*Carphophis vermis*;
- o. Common Rainbow Snake—*Farancia erytrogramma erytrogramma*;
- p. Eastern Hog-nosed Snake—*Heterodon platirhinus*;
- q. Northern Mole Kingsnake—*Lampropeltis rhombomaculata*;
- r. Pinewoods Littersnake—*Rhadinaea flavilata*;
- s. Southeastern Crowned Snake—*Tantilla coronata*;
- t. Harlequin Coralsnake—*Micrurus fulvius*;
- u. Eastern Diamond-backed Rattlesnake—*Crotalus adamanteus*.

5. No person shall import or transport into the state any species of reptile or amphibian as listed as injurious wildlife under the U.S. Fish and Wildlife Service Lacey Act (18 U.S.C. 42), and all associated rules therein, except for accredited and certified facilities permitted by the department.

6. List of Threatened or Endangered Amphibians and Reptiles pursuant to the Federal Endangered Species Act (ESA) of 1973. The following species are listed as threatened or endangered in Louisiana (LAC 76:I.317) and may not be collected:

- a. Dusky Gopher Frog—*Lithobates sevosus*;
- b. Green Sea Turtle—*Chelonia mydas*;
- c. Hawksbill Sea Turtle—*Eretmochelys imbricata*;
- d. Kemp's Ridley Sea Turtle—*Lepidochelys kempii*;
- e. Leatherback Sea Turtle—*Dermochelys coriacea*;
- f. Loggerhead Sea Turtle—*Caretta caretta*;
- g. Gopher Tortoise—*Gopherus polyphemus*;
- h. Ringed Map Turtle—*Graptemys oculifera*;
- i. Pearl River Map Turtle—*Graptemys pearlensis*;
- j. Louisiana Pinesnake—*Pituophis ruthveni*;
- k. Black Pinesnake—*Pituophis melanoleucus*

lodingi.

K. Nonnative Amphibians and Reptiles, and All Venomous Snakes

1. Restricted Snakes. The importation, private possession, selling, and/or purchasing of constrictor snakes in excess of eight feet, which is including but not limited to the following species: *Apodora papuana* (Papuan Python), *Liasis olivacea* (Olive Python), *Morelia spilota* (Carpet or Diamond Python), *Morelia kinghorni* (Scrub Python), *Morelia amethystina* (Amethystine Python), *Python natalensis* (Southern African Python), *Python sebae* (African Rock Python), *Python reticulatus* (Reticulated Python), any species of the genus *Boa* (Boa Constrictors), and any species of the genus *Eunectes* (Anacondas), and venomous snakes, as defined in Subparagraph K.1.a herein, (hereinafter "restricted snakes") obtained in any manner, shall only be allowed via permit issued by the Department of Wildlife and Fisheries except for animals kept by certified zoos and aquariums, and other facilities as approved by the department including universities, and accredited research centers, nature centers, animal sanctuaries, and scientific organizations, and medical research facilities as defined in the Animal Welfare Act as found in the United States Code Title 7, Chapter 54, 2132(e). Large constrictor and venomous snake species listed within Subparagraph K.2.a herein, are prohibited from possession, importation, selling, and purchasing. A Restricted Snake Permit is required for possession of large constrictor snakes listed within Subparagraph K.2.c herein, regardless of size in length.

a. *Venomous Snakes*—any species under current taxonomic standing, recognized to belong to the Families Viperidae (Vipers), Crotalidae (Pit Vipers), Elapidae (elapids), and Hydrophiidae (sea snakes), except prohibited species listed in Subparagraph K.2.a herein.

b. Permit Requirements. Possession of restricted snakes is prohibited, except as authorized via a Restricted Snake Permit by the department. Restricted Snake Permits shall expire annually on the 31st day of December, and must be renewed within 30 days of the expiration date. Any individual who remains non-compliant after 30 days shall forfeit all restricted snakes to department personnel, who may dispose of the snakes per department policy.

i. Applicant must be at least 18 years old at the time of application.

ii. Any person requesting a permit to allow importation and/or private possession of venomous snakes shall demonstrate no less than one year of substantial, practical experience (to consist of no less than 500 hours) in the care, feeding, handling, and/or husbandry of the species

for which the permit is sought, or other species within the same zoological family, which are substantially similar in size, characteristics, care, and nutritional requirements to the species for which the permit is sought.

iii. For the purpose of demonstrating compliance, applicants shall submit documentation of such required experience, including a detailed description of the experience acquired, the dates and time frames the experience was obtained and the specific location(s) where it was acquired, and references of no less than two individuals having personal knowledge of the stated experience. Additional documentation may include records of prior permits for the keeping of venomous reptiles, employment records, or any other competent documentation of the required experience.

iv. Documented educational experience in zoology or other relevant biological sciences obtained at the college or technical school level or above may substitute for up to 250 hours of the required experience. The Department of Wildlife and Fisheries shall be responsible for judgment of the adequacy of the documentation.

v. Notification of relocation of facilities shall be made within 30 days of a move, and permittee shall be allowed to keep the animals in the same setup(s) until the inspection of the facility and/or room and cages within which the animals are to be kept at the new location can be undertaken by department personnel.

vi. In the event of an escape where a constrictor snake in excess of eight feet or a venomous snake escapes its cage and its secure containment room, and becomes outside the control of the permit holder and/or owner, notification shall immediately be made to the Department of Wildlife and Fisheries 24-hour hotline number.

vii. Secure escape proof containers shall be required when transporting restricted snakes.

viii. Restricted snakes shall be kept in secure, escape proof enclosures with doors that lock. Said enclosures shall be kept in a secure, escape proof room or outbuilding that is securely locked to prevent escape or unauthorized intrusion and when restricted snakes are being fed, the cages are being cleaned, or otherwise worked by the person trained and experienced in proper care, handling, and use of the species being maintained. Enclosures constructed below ground level shall be equipped with barriers to prevent visitors from falling into such enclosures. The possession of Restricted Snakes in any manner not in accordance with this Section is prohibited.

ix. Facilities that house constrictor snakes in excess of eight feet or venomous snakes in private possession shall be open to inspection prior to issuance of a permit and at other times deemed necessary to ensure permit compliance by Department of Wildlife and Fisheries personnel or other persons authorized by the department to perform such inspections.

c. License Requirements. A Reptile and Amphibian Wholesale/Retail Dealer's License is required for purchasing or acquiring Restricted Snakes, as defined under Paragraph K.1 herein, from within or outside the state, for sale or resale, or possessing Restricted Snakes for propagation for sale in accordance with R.S. 56:632.5.

2. Prohibited and Restricted Nonnative Reptiles and Amphibians.

a. The following nonnative reptile and amphibian species are prohibited from importation, possession, sale, attempting to sell, transfer, release, and reproduction in the state due to the potential risk of establishment in the wild and detrimental hazard to native wildlife and public health and safety. Individuals in possession of the species listed in Subparagraph K.2.a herein shall have 365 days from the effective date of this Rule to register those animals with the department and acquire a permit.

- i. All crocodylians;
- ii. All species in the Genera *Salvator* and *Tupinambis*, including the Argentine Black and White Tegu (*Salvator merianae*);
- iii. Nile Monitor (*Varanus niloticus*);
- iv. Savannah Monitor (*Varanus exanthematicus*);
- v. Green Iguana (*Iguana iguana*);
- vi. Brown Anole (*Anolis sagrei*);
- vii. Burmese Python (*Python bivittatus*);
- viii. Brown Tree Snake (*Boiga irregularis*);
- ix. All Genera in the Family Atractaspididae (stiletto snakes);
- x. All species in the Genera *Dispholidus* (boomslangs), *Thelotornis* (twig snakes), and *Rhabdophis* (keelback snakes) of the Family Colubridae;
- xi. All species in the Genera *Naja*, *Ophiophagus*, *Pseudohaje*, *Aspidelaps*, and *Walterinnesia* (cobras); *Dendroaspis* (mambas), *Oxyuranus* (taipans), and *Bungarus* (kraits) of the Family Elapidae;
- xii. Cuban Treefrog (*Osteopilus septentrionalis*);
- xiii. Cane Toad (*Rhinella marina*);
- xiv. African Clawed Frog (*Xenopus laevis*).

b. Permits for registered prohibited nonnative reptile and amphibian species shall be renewed every two years and permit holders shall renew their permit within 30 days of the expiration date. Facilities housing prohibited nonnative reptile and amphibians shall be open to inspection by Department of Wildlife and Fisheries personnel, as requested, prior to issuance of a permit and at other times deemed necessary to ensure permit compliance by department personnel or other persons authorized by the department to perform such inspections. No person with a temporary exemption to possess prohibited nonnative reptile or amphibian species shall acquire more prohibited nonnative reptile or amphibian species and will not be reissued a permit, once said animals have expired. No person shall transfer possession of prohibited nonnative reptile and amphibian species except to the Department of Wildlife and Fisheries or its designated agent. Prohibited animals, as defined in Subparagraph K.2.a. herein, which are permitted under a temporary exemption, may not be used for breeding purposes. Persons or businesses in possession of prohibited nonnative reptiles or amphibians for commercial sale shall have 365 days from the effective date of this Rule to sell said inventory or surrender said inventory to the department. Animals surrendered to the department under this provision shall be handled via department policy. Prohibited nonnative reptiles or amphibians may not be in possession for commercial use after 365 days of the effective date of this Rule. With exception to the grace period provided in Subparagraph K.2.a. herein, possession of prohibited reptile

and amphibian species shall only be allowed for scientific research, educational exhibition, and control or eradication purposes via a department-issued permit. In the event of an escape of a prohibited nonnative reptile or amphibian species, department personnel shall be notified immediately via the Department of Wildlife and Fisheries 24-hour hotline number.

c. The following restricted nonnative species may be in possession only via permit to be approved and monitored by the department. Facilities that house restricted nonnative species shall be open to inspection prior to issuance of a permit and at other times deemed necessary to ensure compliance with the permit by department personnel or other persons authorized by the department to perform such inspections. Individuals in possession of the species listed in Subparagraph K.2.c herein shall have 365 days from the effective date of this rule to register those animals with the department and acquire a permit. In the event of an escape of a restricted nonnative reptile or amphibian species, department personnel shall be notified immediately via the Department of Wildlife and Fisheries 24-hour hotline number.

- i. Boa constrictor (*Boa constrictor*);
- ii. Reticulated Python (*Python reticulatus*);
- iii. North African Python (*Python sebae*);
- iv. South African Python (*Python natalensis*);
- v. All species in the Genus *Eunectes* (Anacondas);
- vi. Asian Water Monitor (*Varanus salvator*);
- vii. Brown Basilisk (*Basiliscus vittatus*);
- viii. Gray's American Spiny-tailed Iguana (*Ctenosaura similis*);
- ix. Northern Curly-tailed Lizard (*Leiocephalus carinatus armouri*);
- x. Peter's Rock Agama (*Agama picticauda*).

d. The Department may issue a permit for possession of prohibited or restricted nonnative reptile and amphibian species for approved scientific or research purposes.

3. No person shall possess, display or exhibit restricted snakes, as listed in Paragraph K.1 and Subparagraph K.1.a, or restricted nonnative species, as listed in Subparagraph K.2.c, in public spaces except as permitted by the department.

4. No person shall import or transport into the state any species of reptile or amphibian as listed as injurious wildlife under the U.S. Fish and Wildlife Service Lacey Act (18 U.S.C. 42), and all associated rules therein, except for accredited and certified facilities permitted by the department.

L. Violations to the provisions of this Rule shall be subject to a Class 2 violation with penalties as provided for in R.S. 56:32, with the exception of violations regarding reporting requirements, which are subject to a Class 3 violation with penalties as provided for in R.S. 56:33. Any live reptile or amphibian seized under the provisions of this Section that is illegal to possess shall be immediately forfeited and no property right shall exist therein. The department may dispose of the seized animal in any manner the department deems appropriate. In the event of a release or escape of a captive nonnative reptile or amphibian, the department may assess all expenses incurred from the

capture, transport, housing, veterinary care, or other applicable expenses, associated with the escaped animal to the owner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10), (13), (15) and (25), R.S. 56:23, and R.S. 56:632.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 20:1135 (October 1994), amended LR 30:2495 (November 2004), LR 31:2569 (October 2005), LR 39:1834 (July 2013), LR 42:1692 (October 2016), LR 51:75 (January 2025).

Madison D. Sheahan
Secretary

2501#016

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Sharks and Sawfishes—Harvest Regulations (LAC 76:VII.357)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission has amended LAC 76:VII.357 by removing the recreational daily size, bag, and possession limits of Blacktip and Bull Sharks from a minimum of 54 inches fork length to no minimum size limit for either species and from a bag and possession limit of 1 per person or 1 per vessel to no bag or possession limit for either species. Additional modifications to the Rule prohibit the retention of Shortfin Mako Sharks in both the recreational and commercial fisheries and provide for an increase in the daily commercial trip limit from 45 to 55 sharks from the Large Coastal Species group while providing secretarial authority to adjust those commercial trip limits as deemed necessary. This Rule is hereby adopted on the day of promulgation.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery §357. Sharks and Sawfishes—Harvest Regulations

A. - E.2. ...

F. Sharks taken under a recreational bag limit shall not be sold, purchased, exchanged, traded, bartered, or attempted to be sold, purchased, exchanged, traded, or bartered. A person subject to a bag limit shall not possess at any time, regardless of the number of trips or the duration of a trip, any shark in excess of the recreational bag limits or less than minimum size limits as follows.

1. All sharks taken under a recreational bag limit within or without Louisiana waters must be at least 54 inches fork length, except that the minimum size limit does not apply for Atlantic sharpnose, bonnethead, blacktip, or bull sharks. No sandbar or silky shark may be retained under a recreational bag limit.

2. Owners/operators of vessels other than those taking sharks in compliance with a state or federal commercial permit are restricted to no more than one shark from either the large coastal (except bull and blacktip sharks which shall

have no bag limit), small coastal or pelagic group per vessel per trip within or without Louisiana waters, subject to the size limits described in LAC 76:VII.357.F.1, and, in addition, no person shall possess more than one Atlantic sharpnose shark and one bonnethead shark per person per trip within or without Louisiana waters, regardless of the length of a trip. No sandbar or silky shark may be retained by persons fishing under these limits.

F.3. - H.1. ...

2. Persons possessing a commercial state shark permit but no federal shark permit shall not possess on any trip, or land from any trip, or sell, barter, trade, or exchange in excess 55 sharks from the large coastal species group, taken from Louisiana state waters. Persons possessing a commercial state shark permit shall not possess any sandbar sharks unless they also have in their name and in possession a valid federal shark research permit under 50 CFR 635.32(1). The secretary of the department is authorized to adjust the daily possession limit of sharks from the large coastal species group as deemed necessary.

H.3. - J.6. ...

K. Prohibited Species

1. No person shall take, possess, purchase, sell, barter, exchange or attempt to possess, purchase, sell, barter, or exchange any of the following species or parts thereof:

- a. basking shark—*Cetorhinus maximus*;
- b. white shark—*Carcharodon carcharias*;
- c. bigeye sand tiger—*Odontaspis noronhai*;
- d. sand tiger—*Odontaspis taurus*;
- e. whale shark—*Rhincodon typus*;
- f. smalltooth sawfish—*Pristis pectinata*;
- g. largetooth sawfish—*Pristis pristis*;
- h. Atlantic angel shark—*Squatina dumerili*;
- i. Caribbean sharpnose shark—*Rhizoprionodon porosus*;
- j. smalltail shark—*Carcharhinus porosus*;
- k. bignose shark—*Carcharhinus altimus*;
- l. Caribbean reef shark—*Carcharhinus perezi*;
- m. dusky shark—*Carcharhinus obscurus*;
- n. Galapagos shark—*Carcharhinus galapagensis*;
- o. narrowtooth shark—*Carcharhinus brachyurus*;
- p. night shark—*Carcharhinus signatus*;
- q. bigeye sixgill shark—*Hexanchus vitulus*;
- r. bigeye thresher shark—*Alopias superciliosus*;
- s. longfin mako shark—*Isurus paucus*;
- t. shortfin mako shark—*Isurus oxyrinchus*;
- u. sevengill shark—*Heptranchias perlo*;
- v. sixgill shark—*Hexanchus griseus*.

K.2. - O. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10), R.S. 56:326(E)(2), R.S. 56:326.1, R.S. 56:326.3, R.S. 56:320.2(C), and R.S. 325.2(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:543 (March 1999), amended LR 27:2267 (December 2001), LR 30:1507 (July 2004), LR 35:705 (April 2009), LR 39:1062 (April 2013), LR 43:1188 (June 2017), LR 46:50 (January 2020), LR 48:2994 (December 2022), LR 51:84 (January 2025).

Madison D. Sheahan
Secretary

2501#013

RULE

**Workforce Commission
Office of Workers' Compensation Administration**

**Medical Treatment Guidelines
Disputed Claim for Medical Treatment (LAC 40:I.2328)**

The Workforce Commission does hereby amend certain portions of the *Louisiana Administrative Code*, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 2, Medical Guidelines, Chapter 23, Subchapter B, Section 2328 regarding medical necessity appeals. The purpose of this amendment is to update the medical dispute form in accordance with current administrative process. This Rule is promulgated by the authority vested in the assistant secretary of the Office of Workers' Compensation Administration found in R.S. 23:1291 and R.S. 23:1310.7. This Rule is hereby adopted on the day of promulgation.

**Title 40
LABOR AND EMPLOYMENT
Part I. Workers' Compensation Administration
Subpart 2. Medical Guidelines
Chapter 23. Upper and Lower Extremities Medical
Treatment Guidelines
Subchapter B. Shoulder Injury Medical Treatment
Guidelines
§2328. LWC-WC 1009. Disputed Claim for Medical
Treatment**

E-Mail to: mgd1009@lwc.la.gov

Fax to: OWCA—Medical Services 1. Last four digits of Social Security No. _____

ATTN: Medical Director 2. Date of Injury/Illness __-__-__

(225) 342-9836 3. Parts of Body Injury _____

Mail to: Medical Services 4. Date of Birth __-__-__

P.O. Box 94040 5. Date of This Request __-__-__

Baton Rouge, LA 70804 6. Claim Number _____

**DISPUTED CLAIM FOR MEDICAL TREATMENT
(1009)**

NOTE: THIS REQUEST WILL NOT BE HONORED UNLESS THERE ARE MEDICAL SERVICES IN DISPUTE AS PER R.S. 23:1203.1 J AND THE FOLLOWING HAS OCCURRED:

- A. The insurer has issued a denial;
- B. The insurer has issued an approval with modification;
- C. The insurer's failure to act has resulted in a deemed/tacit denial; or
- D. The aggrieved party is seeking a variance from the medical treatment schedule

DISPUTES RELATING TO COMPENSABILITY AND/OR CAUSATION ARE NOT ADDRESSED BY THE MEDICAL DIRECTOR.

GENERAL INFORMATION

An aggrieved party files this dispute with the Office of Workers' Compensation – Medical Services Director by mail, email or fax. This office must be notified immediately in writing of changes in address. An employee may be represented by an attorney, but it is not required. The completed LWC-WC-1009 must be submitted to OWCA within 15 calendar days of the 1010 denial, 1010 approval w/modification or 1010 deemed/tacit denial. A deemed/tacit denial is when a carrier/self-insured

employer fails to return the LWC-WC-1010 form within five business days of submission of the form to the carrier/self-insured employer.

7. This request is submitted by
___ Employee ___ Health Care Provider ___ Other _____

The following records/documents MUST be attached to this request. Failure to do so may result in the rejection of the request by the OWCA director:

- A. Copies of all relevant information must be included with this request as per LAC 40:I.2715(J) including a copy of the LWC-WC-1010 and all of the information previously submitted to the carrier/self-insured employer.
- B. If applicable, a copy of the denial letter issued by the insurance carrier or utilization review company.
- C. Include scientific medical evidence when seeking a variance.

EMPLOYEE

8. Name _____
Street or Box _____
City _____
State _____ Zip _____
Phone (____) _____

EMPLOYEE'S ATTORNEY (if any)

9. Name _____
Street or Box _____
City _____
State _____ Zip _____
Phone (____) _____
Fax (____) _____
Email _____

EMPLOYER

10. Name _____
Street or Box _____
City _____
State _____ Zip _____
Phone (____) _____
Fax (____) _____

INSURER/ADMINISTRATOR

(circle one)

11. Name _____
Street or Box _____
City _____
State _____ Zip _____
Phone (____) _____
Fax (____) _____
Email _____

TREATING/REQUESTING

PHYSICIAN

12. Name _____
Street or Box _____
City _____
State _____ Zip _____
Phone (____) _____
Fax (____) _____
Email _____

13. PLEASE PROVIDE A SUMMARY OF THE DETAILS REGARDING THE ISSUE AT DISPUTE:

(If requesting a variance, explain here)

You may attach a letter or petition with additional information with this disputed claim.

By signing below, you are certifying that this form along with all supporting documentation has been sent to the carrier/self-insured employer this date by email or fax.

The information given above is true and correct to the best of my knowledge and belief.

SIGNATURE OF REQUESTING PARTY (Required) DATE

Printed Name of Requesting Party

LWC-WC 1009-Rev 08/2024

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1203.1.

HISTORICAL NOTE: Promulgated by the Louisiana Workforce Commission, Office of Workers Compensation Administration, LR 38:3254 (December 2012), amended LR 51:85 (January 2025).

Susana Schowen
Secretary

2501#065

Notices of Intent

NOTICE OF INTENT

**Department of Agriculture and Forestry
Office of Animal Health and Food Safety
and
Agricultural Chemistry and Seed Commission**

Commercial Feed (LAC 7:XVII.Chapter 1)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:1391 et seq., notice is hereby given that the Department of Agriculture and Forestry (“Department”), through the Office of Animal Health and Food Safety, intends to amend LAC 7:XVII.101, 103, 117, 119, 121, 123, 127, 136, 137, 139, 141, and 167 of the Commercial Feed Rules and Regulations. The proposed rule change incorporates recent statutory changes for raw milk and raw milk products in animal feed, pursuant to Act 699 of the 2024 Regular Session. The proposed rule change further incorporates statutory changes set forth in Act 101 of the 2024 Regular Session, which includes modifications to the state chemist responsibilities to include annual determination of the value of protein and any other substance guaranteed as a commercial feed; defines "guarantor" as well as establishes that a guarantor may apply for registration as a feed manufacturer and for authority to label feeds for sale in Louisiana. Further amendments being made pursuant to Act 101 clarifies the term "adulterated" as it relates to injury to the health of humans or animals, and provides additional criteria for "adulterated," including the presence of any drug defined by the Federal Food, Drug, and Cosmetic Act. The proposed rule change also includes amendments that are technical changes, merely updating and cleaning up existing language to be consistent with other sections within the same Chapter and with relevant statutory provisions.

Title 7

AGRICULTURE AND ANIMALS

Part XVII. Feed

Chapter 1. Commercial Feeds

Subchapter A. Official Feed

§101. General Provisions, Definitions and Terms

A. ...

B. When not in conflict with existing provisions of R.S. 3:1391 et seq. or this Chapter, the Commission incorporates by reference the “Model Regulations for Pet Food and Specialty Pet Food Under the Model Bill,” published in the 2024 *Official Publication of the Association of American Feed Control Officials*.

C. The following commodities are hereby declared exempt from the definition of commercial feed, under the provisions of R.S. 3:1391(3): raw milk, raw meat, and hay, straw, stover, silages, cobs, husks and hulls when unground unprocessed, and when not mixed or intermixed with other materials; provided that these commodities are not adulterated within the meaning of R.S. 3:1396.

D. - E. ...

F. Definitions

Commission—the Louisiana Agricultural Chemistry and Seed Commission.

Feed—any commercial feed manufactured and distributed for consumption by livestock.

Guaranteed Feeding Units—the minimum crude protein, minimum crude fat, maximum crude fiber and minimum or maximum minerals expressed as percentages or other required official units of measure, based on weight and indicated on the label as being contained in the commercial feed.

Guarantor—the entity listed on a commercial feed label or package that guarantees quality, quantity, and safety of the product.

Process—any method used to prepare, treat, convert, or transform materials into feeds or feed ingredients. A “process” feed term can be used to further describe an ingredient name as long as the ingredient is not nutritionally altered from the original.

Raw Milk—the lacteal secretion from any species other than human, that has not been pasteurized in accordance with the processes recognized by the U.S. Food and Drug Administration.

Raw Milk Products—any animal feed or feed ingredients made from raw milk that has not undergone pasteurization or other thermal processing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1391 and R.S. 3:392.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:219 (March 1985), amended by the Department of Agriculture and Forestry, Feed, Fertilizer, and Agricultural Liming Commission, LR 38:2524 (October 2012), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

§103. Label Format

A. Commercial feed, other than customer-formula feed, shall be labeled with the information prescribed in this regulation on the principal display panel of the product and in the following general format:

1. a quantity or net weight, in both standard (avoirdupois) and metric units;

A.2. - B.8. ...

C. If the feed is manufactured with raw milk or raw milk products:

1. The express words “WARNING: NOT FOR HUMAN CONSUMPTION – THIS PRODUCT HAS NOT BEEN PASTEURIZED AND MAY CONTAIN HARMFUL BACTERIA,” shall be displayed in a conspicuous manner and shall not be smaller than the height of the minimum form required by the Federal Fair Packaging and Labeling Act for the net quantity statement in the table below:

Panel Size		Minimum Warning Statement Type Size
≤ 5 in. ²	----	1/16 in.
> 5 - ≤ 25 in. ²	----	1/8 in.
> 25 - ≤ 100 in. ²	----	3/16 in.
> 100 - ≤ 400 in. ²	----	1/4 in.
> 400 in. ²	----	1/2 in.

2. When pet food or specialty pet food consists of raw milk, the words, “Raw (BLANK) Milk” shall appear conspicuously on the principal display panel. “BLANK” is to be completed by using the species of animal from which the raw milk is collected.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1394, R.S. 3:1393 and R.S. 3:1392.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:220 (March 1985), amended LR 11:943 (October 1985), amended by the Department of Agriculture and Forestry, Feed, Fertilizer, and Agricultural Liming Commission, LR 38:2524 (October 2012), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

§117. Adulterants

A. For the purpose of R.S. 3:1396(1), the terms poisonous or deleterious substances include but are not limited to the following:

A.1. - A.5. ...

6. any new animal drug which is unsafe within the meaning of Section 512 of the Federal Food, Drug and Cosmetic Act.

7. any filthy, putrid, or decomposed substance, causing the material to be unfit for feed.

B. A commercial feed may be considered adulterated if:

1. the manufacture, processing, packaging, distribution, or use does not comply with the requirements of Title 21, Code of Federal Regulations, Part 507, Subparts A, B, C, E, and F where applicable; or

2. it is, in whole or in part, the product of a diseased animal or of an animal or of an animal which has died otherwise than by slaughter which is unsafe within the meaning of Section 402(a)(1) or (2) of the Federal Food, Drug, and Cosmetic Act.

C. All screenings or by-products of grains and seeds containing weed seeds, when used in commercial feed or sold as such to the ultimate consumer, shall be ground fine enough or otherwise treated to destroy the viability of such weed seeds so that the finished product contains no more than four viable prohibited weed seeds per pound and not more than 200 viable restricted weed seeds per pound.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1392 and R.S. 3:1396.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:223 (March 1985), amended by the Department of Agriculture and Forestry, Feed, Fertilizer, and Agricultural Liming Commission, LR 38:2525 (October 2012), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

§119. Good Manufacturing Practices

A. For the purposes of enforcement of R.S. 3:1396 (8), the commission adopts the following as current good manufacturing practices:

1. the regulations prescribing current good manufacturing practice, hazard analysis, and risk-based preventive controls for food for animals, as published in the *Code of Federal Regulations*, Title 21, Part 507, Subparts A, B, C, D, E, and F; Sections 507.1 - 507.215;

2. the regulations prescribing good manufacturing practices for medicated feeds as published in the *Code of Federal Regulations*, Title 21, Part 225, Sections 225.1-225.115; and

3. the regulations prescribing good manufacturing practices for medicated premixes as published in the *Code of Federal Regulations*, Title 21, Part 226, Sections 226.1-226.115.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1392, 1396, and 1398.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:223 (March 1985), amended by the Department of Agriculture and Forestry, Feed, Fertilizer, and Agricultural Liming Commission, LR 38:2525 (October 2012), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

§121. Fees

A. ...

B. Each registrant filing a label with the commission shall pay to the commission a labeling fee of \$10 per label.

C. - E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1401 and 3:1392.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:223 (March 1985), amended LR 11:944 (October 1985), amended by the Department of Agriculture and Forestry, Office of the Commissioner, Feed Commission, LR 30:198 (February 2004), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

§123. Deficiency Assessments and Penalties

A. ...

B. The value of crude protein will be calculated as follows:

1. The quarterly average price of four feedstuff protein sources shall be used. These are 46.5-48 percent soybean meal, 41 percent cottonseed meal, 60 percent corn gluten meal, and 46-50 percent meat and bone meal from ruminant and porcine sources. The average price will be determined using the Monthly National Grain and Oilseed Processor Feedstuff Report and the Monthly National Animal By-Product Feedstuff Report, published by the United States Department of Agriculture, Agriculture Market Service, AMS Livestock, Poultry and Grain Market News. The average value for each month of the preceding quarter will be used for calculation purposes.

C. For all other guarantees, a deficiency assessment of ten percent of the retail purchase price of the feed if the deficiency or excess, where applicable, is greater than ten percent of the guarantee.

D. Penalties shall be assessed as provided for in R.S. 3:1400. If an official sample shows that feed ingredients bought by a feed manufacturer is deficient, any penalties from this deficiency shall be paid by the supplier of the ingredients to the manufacturer that bought the ingredients.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1391, 1392, and 1400(5).

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:224 (March 1985), amended LR 11:944 (October 1985), amended by the Department of Agriculture and Forestry, Feed, Fertilizer, and Agricultural Liming Commission, LR 38:2525 (October 2012), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

Subchapter B. Pet Food

§127. Label Format and Labeling

A. - O. ...

P. If the pet food is manufactured with raw milk or raw milk products:

1. The express words “WARNING: NOT FOR HUMAN CONSUMPTION – THIS PRODUCT HAS NOT BEEN PASTEURIZED AND MAY CONTAIN HARMFUL BACTERIA,” shall be displayed in a conspicuous manner and shall not be smaller than the height of the minimum form required by the Federal Fair Packaging and Labeling Act for the net quantity statement in the table below:

Panel Size		Minimum Warning Statement Type Size
≤ 5 in.2	----	1/16 in.
> 5 - ≤ 25 in.2	----	1/8 in.
> 25 - ≤ 100 in.2	----	3/16 in.
> 100 - ≤ 400 in.2	----	1/4 in.
> 400 in.2	----	1/2 in.

2. When pet food or specialty pet food consists of raw milk, the words, “Raw (BLANK) Milk” shall appear conspicuously on the principal display panel. “BLANK” is to be completed by using the species of animal from which the raw milk is collected.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1392, 1393, and 1394.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:224 (March 1985), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

§136. Adulterants in Pet Food

A. For the purpose of R.S. 3:1396(1), the terms poisonous or deleterious substances include but are not limited to the following:

1. soybean meal, flakes or pellets or other vegetable meals, flakes or pellets, which have been extracted with trichlorethylene or other chlorinated solvents;

2. sulfur dioxide, sulfurous acid, and salts of sulfurous acid when used in or on pet food or pet food ingredients which are considered or reported to be a significant source of vitamin B1 (Thiamine);

3. any new animal drug which is unsafe within the meaning of Section 512 of the Federal Food, Drug and Cosmetic Act.

4. any filthy, putrid, or decomposed substance, causing the material to be unfit for pet food.

B. Pet Food may be considered adulterated if:

1. the manufacture, processing, packaging, distribution, or use does not comply with the requirements of Title 21, Code of Federal Regulations, Part 507, Subparts A, B, C, E, and F where applicable; or

2. it is, in whole or in part, the product of a diseased animal or of an animal or of an animal which has died otherwise than by slaughter which is unsafe within the meaning of Section 402(a)(1) or (2) of the Federal Food, Drug, and Cosmetic Act.

C. All screenings or by-products of grains and seeds containing weed seeds, when used in commercial feed or sold as such to the ultimate consumer, shall be ground fine enough or otherwise treated to destroy the viability of such weed seeds so that the finished product contains no more than four viable prohibited weed seeds per pound and not more than 200 viable restricted weed seeds per pound.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1392 and 1396.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

§137. Fees for Pet Food

A. Each application for registration of pet food with the commission shall be accompanied by a registration fee of \$40.

B. Each registrant filing a label for pet food with the commission shall pay to the commission a labeling fee of \$10 per label.

C. Registration shall expire on the last day of June of each year. An additional \$50 late fee will be charged for renewal registrations filed after the last day of June. A late fee will not be charged on initial registrations or registrations of new products filed after the last day of June.

D. If a registrant had no sales in a given quarter, he must still file a tonnage report and pay a minimum tonnage fee of \$10 for that quarter. A registrant shall keep all records necessary to accurately indicate the tonnage and kind of pet food sold and shall permit the commissioner or his authorized representative to examine these records and to verify the statement of tonnage. Tonnage reports shall be made on forms supplied by the commissioner and suitable for providing the necessary tonnage and statistical information. The tonnage reports and inspection fees shall be due and payable on the first day of October, the first day of January, the first day of April and the first day of July. If the report is not filed and payment made within 30 days after the date due, a penalty of 25 percent of the amount due shall be assessed against the registrant. If payment is not made within 30 days after the due date, the amount of fees due, plus the penalty, shall constitute a debt and become the basis of a judgment against the registrant. All information as to the amount of pet food sold and business practices of the registrant obtained from tonnage reports or from inspection of records and books shall remain confidential and shall not be revealed by the commissioner or his employees to the public or to any other person.

E. The inspection fee shall be collected only once on each lot of ingredients. To achieve this end, the following provisions shall apply.

1. No fee shall be paid on a pet food if a previous manufacturer has paid the fee.

2. No fee shall be paid on customer-formula pet food if the inspection fee has been paid on the pet food, which are used as ingredients therein.

3. No fee shall be paid on pet food, which are used as ingredients for the manufacture of registered commercial feeds. If the fee has already been paid, credit shall be given for that payment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1392 and R.S. 3:1401.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:226 (March 1985), amended by the Department of Agriculture and Forestry, Feed, Fertilizer, and Agricultural Liming Commission, LR 38:2525 (October 2012), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Agricultural Chemistry and Seed Commission, LR 51:

§139. Deficiency Assessments and Penalties for Pet Food

A. For the purpose of assessing penalties for protein deficiencies in pet foods, as provided for in R.S. 3:1400(A)(1), the value of crude protein will be updated each quarter.

B. The value of crude protein in pet food will be calculated as follows.

1. The quarterly average price of four feedstuff protein sources shall be used. These are 46.5-48 percent soybean meal, 41 percent cottonseed meal, 60 percent corn gluten meal, and 46-50 percent meat and bone meal from ruminant and porcine sources. The average price will be determined using the Monthly National Grain and Oilseed Processor Feedstuff Report and the Monthly National Animal By-Product Feedstuff Report, published by the United States Department of Agriculture, Agriculture Market Service, AMS Livestock, Poultry and Grain Market News. The average value for each month of the preceding quarter will be used for calculation purposes.

C. For all other guarantees, a deficiency assessment of ten percent of the retail purchase price of the pet food if the deficiency or excess, where applicable, is greater than ten percent of the guarantee.

D. Penalties shall be assessed as provided for in R.S. 3:1400. If an official sample shows that pet food ingredients bought by a pet food manufacturer is deficient, any penalties from this deficiency shall be paid by the supplier of the ingredients to the manufacturer that bought the ingredients.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1392 and R.S. 3:1400.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:226 (March 1985), amended by the Department of Agriculture and Forestry, Feed, Fertilizer, and Agricultural Liming Commission, LR 38:2525 (October 2012), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

Subchapter C. Processed Animal Waste Products as Animal Feed Ingredients

§141. Definitions and Quality Standards

A. The commission adopts the definitions of R.S. 3:1381 and 1391 and those that appear in §101.F this Chapter.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1392.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:226 (March 1985), amended by the Department of Agriculture and Forestry, Feed, Fertilizer, and Agricultural Liming Commission, LR 38:2525 (October 2012), amended by the Department of Agriculture and Forestry, Office of

Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

Subchapter D. Probation of Registrants

§167. Public Hearing on Cancellation of Registration/Denial of Application for Renewal of Registration

A. ...

B. When the commission determines that just cause may exist to cancel or deny renewal or registration, the commission shall give written notice to the registrant of intent to conduct an adjudicatory hearing on the matter. The notice shall be issued in accordance with R.S. 49:975.

C. An adjudicatory hearing on the cancellation of a registration and/or denial of renewal of registration shall be conducted in accordance with the requirements of R.S. 49:950 975 et seq., including all rights, notice requirements, evidentiary standards and rights to rehearing and appeal, set forth therein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1392, 1393 and 1400 and R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Feed Commission, LR 11:228 (March 1985), amended by the Department of Agriculture and Forestry, Feed, Fertilizer, and Agricultural Liming Commission, LR 38:2527 (October 2012), amended by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety and Agricultural Chemistry and Seed Commission, LR 51:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules via U.S. Mail or hand delivery. Written submissions must be directed to Amy L. McInnis, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 3000, Baton Rouge, LA 70806 and must be received no later than 4 p.m. on February 10, 2025. All written comments must be signed and dated.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Commercial Feed

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will increase costs to implement an upgrade to the LabWorks Laboratory Information Management System (LIMS) to calculate and assess the penalties on deficiency report. LIMS upgrade will have to be quoted from LabWorks and a purchase order issued. Therefore, an exact amount of the increase is unknown at this time.

All other proposed changes will not result in any implementation costs or savings to state or local government units.

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

Changes to LAC 7:121(B), fees will increase state revenue collections. The current label registration fee matrix (1-50 labels = \$10 per label; 51-200 labels = \$8 per label; 201+ labels = \$6 per label) will be changed to a flat rate of \$10 per label. This will affect 67 registrants, 8.5%, out of 791 total registrants for FY 25. Registrants with 51 registered labels would pay an extra \$102 and the registrant with the most registered labels, 880 labels, would pay an additional \$3,520. The total effect on revenue collections would be \$31,990.

All other provisions in the proposed rule change would not have any effect on revenue collections of state or local governmental units.

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

The federal definition of a *very small business*, means a business (including any subsidiaries and affiliates) averaging less than \$2.5 M, adjusted for inflation, per year, during the 3-year period preceding the applicable calendar year in sales of animal food plus the market value of animal food manufactured, processed, packed, or held without sale (i.e. held for a fee or supplied to a farm without sale). As per available knowledge, changing the current label registration fee matrix (LAC 7:121(B)) to a \$10 flat rate would not affect any registrants classified as a *very small business*.

Revisions to LAC 7:123, Deficiency Assessments and Penalties, would have a direct effect on all registrants deficient in guaranteed feeding units when analyzed by the Louisiana Department of Agriculture & Forestry, Agricultural Chemistry Laboratory. Estimated costs to registrants are penalties assessed for products deficient in nutritional feeding units guaranteed on the label. As per R.S. 3:1400(B), all deficiency assessments; shall be paid to the person who purchased the feed for use when that person can be identified. If the person cannot be identified, the deficiency assessment shall be paid to the Louisiana Agricultural Chemistry and Seed Commission.

All other provisions in this proposed rule change would have no effect on persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to have any effect on competition or employment.

Dane Morgan
Assistant Commissioner
2501#068

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Civil Service Board of Ethics

Campaign Finance Complaints (LAC 52:I:Chapter 7)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Civil Service, Board of Ethics, has initiated rulemaking procedures and is proposing to adopt a Rule regarding processing Campaign Finance Disclosure Act complaints.

Title 52

ETHICS

Part I. Board of Ethics

Chapter 7. Complaints

§709. Campaign Finance Complaints

A. Except as otherwise provided in this Section, the general provisions relating to complaints shall apply to complaints filed regarding violations of the Campaign Finance Disclosure Act.

B. All complaints must be signed by the complainant and received on a form approved by the board or in a format that contains the following information:

1. the complainant's full name and mailing address.
2. an email address for the complainant, if available.
3. the identification of each person who is alleged to have violated the Campaign Finance Disclosure Act ("CFDA").
4. a clear and concise recitation of the facts describing the alleged violation of the CFDA.
5. With respect to statements made in the complaint, the complainant shall:
 - a. indicate whether the statements are based on the complainant's personal knowledge, or
 - b. include reasonable identification of the source of the information, which gives rise to the complainant's belief in the truth of the statements in the complaint.

6. All documentation in the complainant's possession supports the facts alleged in the complaint.

C. By providing an email address, the complainant agrees to accept communications from the board via email, and all correspondence from the board to the complainant shall request confirmation of the receipt of the communication via an electronic "read receipt" to be provided by the complainant.

D. If the board's staff determines that the complaint does not substantially comply with Paragraph B of this Section, the board's staff shall send a notice within five business days after receipt of the complaint to the complainant and to each person identified in the complaint as allegedly violating the CFDA that no action shall be taken on the basis of the complaint.

E. If the board's staff determines that a complaint substantially complies with Paragraph B of this Section, within five business days after receiving the complaint, the staff shall send a notice to each person identified in the complaint as having allegedly violated the CFDA advising of the procedures in this Section.

1. The recipient of the notice sent to the person identified in the complaint as allegedly violating the CFDA shall be referred to as the "respondent."

2. The notice sent to the respondent shall include a copy of the complaint from which the board's staff has redacted any information that would identify the complainant.

3. If the respondent has provided an email address, either on a notice of candidacy or an electronic filing affidavit, the notice shall be transmitted via email to the respondent, with confirmation of receipt via a "read receipt" to be provided by the respondent.

4. Within 15 days from the receipt of the notice, the respondent shall submit a letter or memorandum stating reasons why the board should take no action, along with any reasonably necessary supporting documentation.

a. Upon receipt thereof, the complaint, the response, and any supporting documentation shall be considered by the board at its next scheduled monthly meeting, according to the public deadline on the board's website, and at which at least 2/3 of its membership is present.

b. If a response is not provided within 15 days from receipt of the notification, the complaint shall be considered by the board at its next scheduled monthly meeting, at which at least 2/3 of its membership is present.

5. After the board considers the complaint and the response, if one is filed within 15 days, as provided in Paragraph 4 of this Section, the board may take one of the following actions:

a. upon a majority vote of the board, issue a letter to the complainant and the respondent that the board found no reason to believe a violation has occurred or otherwise terminated its proceedings.

b. upon an affirmative vote of at least 2/3 of its membership, issue a letter to the respondent that it has reason to believe that the respondent has violated the CFDA by identifying the provision of the CFDA alleged to have been violated and the alleged factual basis supporting the

finding, including reference to any specific transactions identified as a violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 51:

Family Impact Statement

The proposed Rule has no known impact on family formation, stability or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule has no known impact on poverty, as described in R.S. 49:973.

Small Business Analysis

The proposed Rule should not have any known or adverse impact on small business as described in R.S. 49:978.5.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

Public Comments

Interested persons may direct their comments to David M. Bordelon, Louisiana Board of Ethics, P.O. Box 4368, Baton Rouge, Louisiana 70821, telephone (225) 219-5600, until 4:45 p.m. on February 10, 2025.

David M. Bordelon
Ethics Administrator

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Campaign Finance Complaints

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to result in any cost or savings to the state or local government units, other than the cost to publish the Notice of Intent and the rule in the State Register (\$300).

The proposed rule codifies a section of Act 664 of the 2024 Regular Session, which provides procedures for filing and processing complaints regarding violations of the Campaign Finance Disclosure Act with the Supervisory Committee on Campaign Finance.

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

The proposed rule change has no anticipated effect on revenue collections of state or local governmental units.

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

The proposed rule provides instructions to those who wish to file a complaint regarding violations of the Campaign Finance Disclosure Act and should not have a fiscal impact on these groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change has no anticipated effect on competition and employment.

Kristy Gary
Deputy Administrator
2501#040

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Early Childhood Centers and Providers
(LAC 28:CLXI.Chapters 15-21 and
LAC 28:CLXV.Chapters 1-5)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) proposes to amend LAC 28:CLXI in *Bulletin 137—Louisiana Early Learning Center Licensing Regulations* and LAC 28:CLXV *Bulletin 139—Louisiana Child Care and Development Fund Programs*. The revisions strengthen measures designed to protect children, provide additional clarity to early learning providers, and align BESE policy with federal and state regulations. Additional revisions address parental notice and consent, CCCBC-based determinations, and health and safety, including safe sleep procedures, transportation records, and hazards to children. Further revisions address CCAP eligibility and payments. Reorganization of some information has occurred for ease of access and understanding. Codification of charts ensures ADA compliance and readability. The reorganization groups and aligns like-topics, such as general health and safety that applies to all providers and centers regulated by these bulletins. Updates also establish provisions for the administration of stock medication in accordance with Act 657 of the 2024 Regular Legislative Session.

Title 28

EDUCATION

Part CLXI. Bulletin 137—Louisiana Early Learning Center Licensing Regulations

Chapter 15. Minimum General Requirements and Standards

§1515. Child Records and Cumulative Files

A. - D. ...

E. An early learning center shall provide a written copy of all health-related policies established by the center, including policies regarding accidents, allergic reactions, fever, illness, immunizations, infection, administration of stock medication to a child believed to be having an emergency, and injuries, to the parent or guardian of each child attending or enrolled in the early learning center.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.40 and R.S.40:1142.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:630 (April 2015), effective July 1, 2015, amended LR 41:2106 (October 2015), LR 44:250 (February 2018), effective March 1, 2018, LR 47:1276 (September 2021), LR 49:862 (May 2023), LR 51:

Chapter 17. Minimum Staffing Requirements and Standards

§1721. Continuing Education

A. - G. ...

1. Providers may complete the approved self-paced, online training provided by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed nurse, licensed physician, licensed physician's assistant, licensed pharmacist, licensed paramedic, or licensed EMT who is on the LDOE registry of approved trainers.

H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.40(A)(1) and (3).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:636 (April 2015), effective July 1, 2015, amended LR 41:2108 (October 2015), LR 42:555 (April 2016), LR 44:251 (February 2018), effective March 1, 2018, LR 44:1866 (October 2018), LR 47:1277 (September 2021), LR 49:1712 (October 2023), LR 50:968 (July 2024), LR 51:

§1725. Medication Management Training

A. All staff members who administer medication shall have medication administration training.

B. ...

C. Training for medication administration shall be completed every two years with training approved by the LDOE.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.40(A)(1).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:636 (April 2015), effective July 1, 2015, amended LR 44:251 (February 2018), effective March 1, 2018, LR 44:1866 (October 2018), LR 47:1278 (September 2021), LR 49:862 (May 2023), LR 49:1713 (October 2023), LR 51:

Chapter 18. Child Care Criminal Background Checks (CCCBC)

§1805. Persons Ineligible for Child Care Purposes

A. - C. ...

D. In addition, any owner(s) shall not have been convicted of, or pled guilty or nolo contendere to a felony, within the past 10 years, for any of the following crimes of fraud:

1. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 98.43 and R.S. 15:587.1, 17:6, and 407.42.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:252 (February 2018), effective March 1, 2018, amended LR 44:1866 (October 2018), amended LR 45:224 (February 2019), LR 47:1278 (September 2021), LR 51:

§1806. Types of CCCBC-Based Determinations of Eligibility for Child Care Purposes

A. ...

1. "owner of child care center" determinations of eligibility are required for owners; and

2. "child care staff member" determinations of eligibility are required for owners, directors and director designees of child care centers and volunteers, staff, visitors, contractors and other persons providing services in any type of child care centers when children are present.

B. A person with an "owner of child care center" determination of eligibility also has a "child care staff member" determination of eligibility.

C. For a person with a "child care staff member" determination of eligibility who wants to become an owner, the person must also obtain an "owner of a child care center" determination of eligibility before that person can become an owner of the child care center.

1. - 2. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:224 (February 2019), LR 51:

Chapter 19. Minimum Health, Safety, and Environment Requirements and Standards

§1907. Furnishings and Equipment

A. - E.1. ...

2. Cribs shall be free of toys, including stuffed animals, and other soft or loose bedding, including comforters, blankets, sheets, bumper pads, pillows, and wedges when the infant is in the crib. Mattresses for cribs must have a properly fitted, clean sheet.

F. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.40(A)(1).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:638 (April 2015), effective July 1, 2015, amended LR 41:2108 (October 2015), LR 44:256 (February 2018), effective March 1, 2018, LR 47:1279 (September 2021), LR 49:1714 (October 2023), LR 51:

§1909. Safe Sleep Practices

A. - H. ...

I. A safety approved crib shall be assigned to and available for each infant in care.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.40(A)(1).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:638 (April 2015), effective July 1, 2015, amended LR 44:256 (February 2018), effective March 1, 2018, LR 51:

§1917. Medication Administration

A. - L. ...

M. Stock Emergency Medications.

1. Early learning centers may have stock emergency medications.

2. Stock supply in the name of and for use by the early learning center can only be prescribed by a licensed healthcare professional authorized to prescribe said medication.

3. Life-saving emergency medications can be dispensed by a licensed pharmacist or licensed prescriber for stock supply.

4. Emergency medications are medications that can be administered to treat life-threatening conditions. Such medications may include, but are not limited to, the following:

- a. Epinephrine;
- b. Albuterol;
- c. Naloxone; and
- d. Glucagon.

5. At least one employee at each early learning center shall receive training on the use of auto-injectable epinephrine. Early learning center employees may be trained by a registered nurse, a licensed medical physician, an anaphylaxis training organization, or any other entity approved by LDH.

6. Early learning center employees may be trained on the use of other stock medications such as albuterol, naloxone, and glucagon by a medical emergency training organization, a registered nurse, or a licensed physician who is on the LDOE registry of approved trainers on the administration of emergency stock medications.

7. Employees administering any of these emergency stock medications shall be trained annually on the following;

a. techniques on how to recognize signs of a life-threatening emergency;

b. procedures on the storage of emergency medications;

c. administration of emergency medications;

d. emergency procedures such as calling emergency medical services (EMS) immediately before or after administering a life-saving medication;

e. any protocols, including those issued by the LDH for the administration of the emergency stock medications; and

f. procedures for proper disposal of the stock emergency medications along with the means by which the medication was administered.

8. Once trained, early learning center employees can administer and must properly dispose of any stock emergency medications, upon the earlier of the prescription's usage or expiration, to a child on the premises who is experiencing a life-threatening medical emergency and has received written authorization for administration of said medication, in accordance with the protocol in the emergency medication standing order.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.40(A)(1) and R.S.40:1142.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:639 (April 2015), effective July 1, 2015, amended LR 50:969 (July 2024), LR 51:

Chapter 21. Minimum Transportation Requirements and Standards

§2105. Field Trips

A. - E.1. ...

2. names and age range of all the children being transported in each vehicle;

3. - 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.40(A)(1).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:642 (April 2015), effective July 1, 2015, LR 47:1279 (September 2021), LR 51:

Title 28

EDUCATION

Part CLXV. Bulletin 139—Louisiana Child Care and Development Fund Programs

Chapter 1. Child Care Assistance Program

§103. Definitions

CCCBC—child care criminal background check.

Care for Children with Disabilities—for CCAP, child care for a child birth through age 17 who has a current individualized family services plan (IFSP) or individual education plan (IEP) in accordance with the Individuals with Disabilities Education Act (IDEA) or who receives Supplemental Security Income (SSI).

Caregiver—any person legally obligated to provide or secure care for a child, including a parent, legal custodian, foster home parent, or other person providing a residence for the child.

Criminal Background Check (CBC)—Repealed.

Excessive Unexplained Absences—Repealed.

MUP—minor unmarried parent.

Mandated Reporter—professionals who may work with children in the course of their professional duties and who consequently are required to report all suspected cases of child abuse and neglect. This includes any person who provides training or supervision of a child, such as a public or private school teacher, teacher’s aide, instructional aide, school principal, school staff member, social worker, probation officer, any other child care institution staff member, licensed or unlicensed day care provider, any individual who provides such services to a child, or any other person made a mandatory reporter under *Children’s Code* Article 603 or other applicable law.

Military Child Care Center—child care centers licensed by the U.S. Department of Defense.

Pathways—Louisiana early learning center career development system (LA pathways).

Protective Services—children in foster care, children who are in families under court supervision, children who are in families receiving support or otherwise engaged with a child welfare agency, children whose family members are deemed essential workers under a governor-declared state of emergency, or children whose family has been affected by a natural disaster.

Quality Start Child Care Rating System—system designed to assess the level of quality of early care and education programs serving birth through age five, communicate the level of quality, and support improvements of child care facilities.

Special Needs Child Care—Repealed.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR part 98 and R.S. 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2109 (October 2015), amended LR 42:42 (January 2016), LR 42:1870 (November 2016), LR 43:1279 (July 2017), LR 44:257 (February 2018), effective March 1, 2018, LR 44:800 (April 2018), LR 47:1279 (September 2021), LR 48:30 (January 2022), LR 48:1006 (April 2022), LR 49:1208 (July 2023), LR 50:969 (July 2024), LR 51:

Chapter 3. CCAP Provider Certification

§305. General Certification Requirements for All Child Care Providers

A. - A.1. ...

2. Email Address. Provide a current email address and notify the department immediately upon a change in such email address by updating in the designated LDOE portal;

3. Time and Attendance. Participate in the time and attendance system designated by the department and possess the minimum equipment and means necessary to operate the system, including internet access for submission of required attendance records to the LDOE;

4. Direct Deposit. Provide complete and accurate letter from bank on bank letterhead or blank, voided check imprinted with the name, bank account, and routing number required for direct deposit;

5. ...

6. Mandatory Reporting Requirements. Comply with all mandatory reporting requirements for suspected cases of child abuse or neglect;

7. Additional Notification. Provide written notice to Provider Certification and input updates in the designated LDOE portal, of receipt or notice of, or upon becoming aware of, any of the following:

a. change in contact information, within 10 calendar days;

b. temporary closure of more than five calendar days, but fewer than 30 calendar days, within one day of closure of the site;

c. permanent closure of 30 or more calendar days of a site, within seven calendar days of the closure;

d. change of location, prior to the change; and

e. family child care providers and in-home providers shall provide updates on changes in residential household compositions, prior to the change; and

8. Additional Requirements. Meet additional requirements for the specific type of child care provider set forth in §309-317 of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with 42 USC 9858 et seq., 45 CFR Parts 98 and 99, R.S. 17:407.28 and R.S. 17:407.61 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2111 (October 2015), amended LR 43:1279 (July 2017), LR 51:

§309. Specific Certification and Registration Requirements for Family Child Care Providers

A. - A.7. ...

8. - 12.d. Repealed.

13. ...

a. include the child’s first and last name, arrival and departure times, date, and first and last name of person or entity to whom the child is released;

A.13.b. - 14.f. ...

15. - 15.c. Repealed

16. - 16.b. ...

17. - 18. Repealed.

19. - 19.a. ...

b. procedures for all adults living in, or working in the residence where care is provided, or working on the property where care is provided;

c. posting in a visibly accessible area all appropriate emergency phone numbers, such as fire and police, hospitals and Louisiana Poison Control, and the physical address and phone number for the residence in which care is provided; and

d. be reviewed annually for accuracy and updated as changes occur.

20. - 22. ...

23. - 23.c.iii. Repealed.

24. - 26.h. ...

i. A safety approved crib shall be assigned to and available for each infant in care.

j. Children are prohibited from sleeping in playpens or cribs with mesh sides.

k. Cribs shall be free of toys, including stuffed animals, and other soft or loose bedding, including comforters, blankets, sheets, bumper pads, pillows, and wedges when the infant is in the crib. Mattresses for cribs must have a properly fitted, clean sheet.

27. - 30.a. ...

i. Consent to Release. Written consent shall be obtained from the parent prior to releasing any information, recordings, or photographs from which the child might be

identified, except to authorized state and federal agencies. This one-time written consent shall be obtained from the parent and updated as changes occur.

ii. Confidentiality. Confidentiality and security shall be maintained for all records of children. Staff is prohibited from disclosing or knowingly permitting the disclosure of any information concerning the child or the family of the child, either directly or indirectly, to any unauthorized person.

30.b. - 31. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98.43, R.S. 15:587.1, and R.S. 17:407.71.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2111 (October 2015), amended LR 42:2173 (December 2016), LR 43:1279 (July 2017), LR 44:258 (February 2018), effective March 1, 2018, LR 47:1280 (September 2021), LR 49:1208 (July 2023), LR 50:970 (July 2024), LR 51:

§311. Specific Certification Requirements for In-Home Child Care Providers

A. - A.6. ...

7. - 11.d. Repealed.

12. Children's Daily Attendance. A daily attendance record for children shall be maintained that shall accurately reflect children in care at any given time and shall include the child's first and last name, arrival and departure times, date, and first and last name of the person or entity to whom the child is released.

13. - 13.f. ...

14. - 14.c. Repealed.

15. - 15.b. ...

16. - 17. Repealed.

18. - 18.a. ...

b. procedures for all adults living in or working in the residence where care is provided, or working on the property where care is provided;

c. posting in a visibly accessible area all appropriate emergency phone numbers, such as fire and police, hospitals and Louisiana Poison Control, and the physical address and phone number for the residence in which care is provided; and

d. be reviewed annually for accuracy and updated as changes occur.

19. - 21. ...

22. - 22.c.iii. Repealed.

23. - 25.h. ...

i. A safety approved crib shall be assigned to and available for each infant in care.

j. Children are prohibited from sleeping in playpens or cribs with mesh sides.

k. Cribs shall be free of toys, including stuffed animals, and other soft or loose bedding, including comforters, blankets, sheets, bumper pads, pillows, and wedges when the infant is in the crib. Mattresses for cribs must have a properly fitted, clean sheet.

26. - 29.a. ...

i. Consent to Release. Written consent shall be obtained from the parent prior to releasing any information, recordings, or photographs from which the child might be identified, except to authorized state and federal agencies. This one-time written consent shall be obtained from the parent and updated as changes occur.

ii. Confidentiality. Confidentiality and security shall be maintained for all records of children. Staff is prohibited from disclosing or knowingly permitting the disclosure of any information concerning the child or the family of the child, either directly or indirectly, to any unauthorized person.

29.b. - B. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98.43, R.S. 15:587.1, and R.S. 17:407.71.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2112 (October 2015), amended LR 42:2174 (December 2016), LR 43:1280 (July 2017), LR 44:260 (February 2018), effective March 1, 2018, amended LR 47:1282 (September 2021), LR 49:1209 (July 2023), LR 50:970 (July 2024), LR 51:

§313. Specific Certification Requirements for Public School and BESE-Approved Nonpublic School Child Care Centers

A. - A.3. ...

4. - 8.e. Repealed.

9. ...

a. include the child's first and last name, arrival and departure times, date, and first and last name of person or entity to whom the child is released;

b. - 10.f. ...

11. - 11.c. Repealed.

12. - 12.b. ...

13. - 14. Repealed.

15. - 15.c. ...

d. be reviewed annually for accuracy and updated as changes occur.

16. - 17. ...

18. - 18.c.iii. Repealed.

19. - 26.a. ...

i. Consent to Release. Written consent shall be obtained from the parent prior to releasing any information, recordings, or photographs from which the child might be identified, except to authorized state and federal agencies. This one-time written consent shall be obtained from the parent and updated as changes occur.

ii. Confidentiality. Confidentiality and security shall be maintained for all records of children. Staff is prohibited from disclosing or knowingly permitting the disclosure of any information concerning the child or the family of the child, either directly or indirectly, to any unauthorized person.

26.b. - 27. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98 and R.S. 17:407.26.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2113 (October 2015), amended LR 42:2174 (December 2016), LR 44:261 (February 2018), effective March 1, 2018, amended LR 47:1284 (September 2021), LR 49:1209 (July 2023), LR 50:971 (July 2024), LR 51:

§319. Child Care Provider's Ineligibility for CCAP Payments

A. A child care provider, even if certified to receive CCAP, may not receive CCAP payments for the provider's own children or other children residing in the provider's home.

1. Exception. A child care provider may receive CCAP payments for foster children in the caregiver's custody.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98 and R.S. 17:6 and 17:407.26.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2114 (October 2015), amended LR 45:1745 (December 2019), LR 51:

§323. General Health and Safety Requirements

A. The health and safety requirements contained in this Section shall apply to any family child care provider, in-home child care provider, school child care center, or military child care center.

B. Pre-Service Orientation Training. Complete four hours of CCAP pre-service orientation training; the LDOE Key Orientation Training Modules 1, 2, and 3; infant, child, and adult CPR; pediatric first aid; and DCFS online Mandated Reporter training prior to initial certification, maintain documentation verifying completion of the training, and submit the documentation with the application for certification to the LDOE. The pre-service orientation training shall at a minimum include information on the following:

1. general emergency preparedness, including natural disasters and man-caused disasters;
2. professionalism;
3. health and safety, including daily observations, supervision regulations, daily attendance, child-to-staff ratios, improper discipline, prohibited discipline, prevention of shaken baby syndrome, prevention of abusive head trauma and child maltreatment, food safety, choking risks, and recognition and reporting of child abuse and neglect;
4. administration of medication consistent with standards for parental consent;
5. prevention and response to emergencies due to food and allergic reactions;
6. appropriate precautions in transporting children, if applicable;
7. public health policies, including prevention and control of infectious diseases and immunization information;
8. handling and storage of hazardous materials and appropriate disposal of bio-contaminants;
9. pediatric first aid and cardiopulmonary resuscitation (CPR);
10. prevention of sudden infant death syndrome and use of safe sleep practices;
11. outdoor play practices;
12. environmental safety;
13. building and physical premises safety, including identification of and protection from hazards, bodies of water, and vehicular traffic;
14. child release procedures; and
15. critical incident procedures.

C. Continuing Training.

1. Annually complete 12 clock hours of training in safety and health topics and job-related subject areas approved by the LDOE. Continuing training shall be completed with LDOE approved trainers and may include, but is not limited to, the following topics:

- a. child development;
- b. child guidance;
- c. child abuse prevention;
- d. emergency preparation;
- e. learning activities;
- f. health and safety;
- g. shaken baby prevention;

- h. CPR;
- i. pediatric first aid;
- j. management/administrative education; or
- k. college credit hours in child care, child development, and/or early childhood.

2. Annually complete the DCFS online Mandated Reporter Training.

3. CPR. Provide documentation of current certification in infant, child, and adult CPR.

4. Pediatric First Aid. Provide documentation of current certification in pediatric first aid.

5. Documentation verifying completion of all required trainings shall be maintained onsite by the provider, whether as hard copies or in electronic form, and made available for inspection upon request by the LDOE.

6. Pre-service orientation training, infant/child/adult CPR, pediatric first aid training, and medication administration training may count as annual training requirements in the certification period in which the training is completed.

7. The three hours of training by LDOE-approved trainer on infectious diseases, health and safety, and/or food service preparation required in LAC 51:XXI.301 shall not count towards the annual training requirements. Providers may complete the approved self-paced, online training provided by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed nurse, licensed physician, licensed physician's assistant, licensed social worker, or licensed nutritionist who is on the LDOE registry of approved trainers.

D. Medication Administration.

1. No medication or special medical procedure shall be administered to a child unless authorized in writing by the parent.

2. Written authorization must contain explicit dosing criteria and must not simply direct "as indicated on bottle." Such authorization shall include:

- a. the name of the child;
- b. drug name and strength;
- c. date(s) to be administered;
- d. directions for use, including route (oral, topical), dosage, frequency, time and schedule, and special instructions if applicable; and
- e. signature of parent and date of signature.

3. Supplements. Children shall not be administered any form of supplements without prior written parental authorization.

E. Medication Administration Training. Provide documentation of current medication administration training. Providers may complete the approved self-paced, online training provide by the LDOE or utilize an in-person trainer. If taught in person, the training must be taught by a licensed pharmacist, licensed nurse, licensed physician, licensed physician's assistant, licensed paramedic, or licensed EMT who is on the LDOE registry of approved trainers.

1. Training for medication administration shall be completed every two years with training approved by the LDOE.

2. Documentation of current completion of such training shall be maintained by the provider and shall be available for on-site inspection, whether as hard copies or in electronic form, upon request by the LDOE.

F. Stock Emergency Medications.

1. Child care providers may have stock emergency medications.

2. Stock supply in the name of and for the use by the provider can only be prescribed by a licensed healthcare professional authorized to prescribe said medication.

3. Life-saving emergency medications can be dispensed by a licensed pharmacist or licensed prescriber for stock supply.

4. Emergency medications are medications that can be administered to treat life-threatening conditions. Such medications may include, but are not limited to, the following:

- a. Epinephrine;
- b. Albuterol;
- c. Naloxone; and
- d. Glucagon.

5. Provider employees may be trained on the use of auto-injectable epinephrine by a registered nurse, a licensed medical physician, an anaphylaxis training organization, or any other entity approved by LDH.

6. Provider employees may be trained on the use of other stock medications such as albuterol, naloxone, and glucagon by a medical emergency training organization, a registered nurse, or a licensed physician who is on the LDOE registry of approved trainers on the administration of emergency stock medications.

7. Employees administering any of these emergency stock medications shall be trained annually on the following;

- a. techniques on how to recognize signs of a life-threatening emergency;
- b. procedures on the storage of emergency medications;
- c. administration of emergency medications;
- d. emergency procedures such as calling emergency medical services (EMS) immediately before or after administering a life-saving medication;
- e. any protocols, including those issued by the LDH for the administration of the emergency stock medications; and
- f. procedures for proper disposal of the stock emergency medications along with the means by which the medication was administered.

8. Once trained, provider employees can administer and must properly dispose of any stock emergency medications, upon the earlier of the prescription's usage or expiration, to a child on the premises who is experiencing a life-threatening medical emergency and has received written authorization to administer said medication, in accordance with the protocol in the emergency medication standing order.

G. All staff and owners shall report any allegation or suspected abuse or neglect of a child to the Louisiana Child Protection Statewide Hotline at (855) 4LA-KIDS or (855) 452-5437. There shall not be a delay in the reporting of suspected abuse or neglect to the hotline in order to conduct an internal investigation to verify the abuse or neglect allegations, and staff shall not be required to report suspected abuse or neglect to the provider or management prior to reporting to the hotline.

H. Burn Hazards.

1. Microwave ovens, bottle warming devices and crock pots are prohibited in areas accessible to children.

2. Hot liquids shall not be consumed in the presence of children.

3. Microwave ovens shall not be used for warming bottles or infant food.

4. Children shall not be held by a staff member when the staff member is removing a bottle from a warming device.

I. Hazardous Materials and Other Items That Can Be Harmful to Children. Items such as medications, poisons, cleaning supplies and chemicals, equipment, tools, knives, and other potentially dangerous utensils that can be harmful to children shall be kept in a locked cabinet or other secure place that ensures items are inaccessible to children.

1. Plastic bags, when not in use, regardless of purpose or use, shall be made inaccessible to children.

2. Alcohol, tobacco in any form, other potentially toxic substances, fireworks and firearms, and pellet and BB guns are prohibited in areas accessible to children.

J. Building and Physical Premises. Identify and protect children from safety hazards in the residence and on the premises, such as uncovered electrical outlets, strings and cords, bodies of water, and vehicular traffic.

1. Construction, remodeling, and alterations of structures shall be done in such a manner so as to prevent hazards or unsafe conditions, such as fumes, dust, and safety hazards.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98.43, R.S. 15:587.1, R.S. 40:1142, and R.S. 17:407.71.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:

§325. Behavior Management

A. Behavior management requirements contained in this Section shall apply to any family child care provider, in-home child care provider, school child care center, or military child care center.

B. Provider shall develop, implement, and follow a written behavior management policy describing the methods of behavior guidance and management that shall be used at the site.

C. The behavior management policy shall prohibit:

1. physical or corporal punishment which includes but is not limited to yelling, slapping, spanking, yanking, pinching, other measures producing physical pain, putting anything in the mouth of the child, requiring a child to exercise, or placing a child in an uncomfortable position;
2. verbal abuse;
3. the threat of prohibitive action even if there is no intent to follow through with the threat;
4. being disciplined by another child, being bullied by another child, or being deprived of food or beverages;
5. being restrained in high chairs or feeding tables for disciplinary purposes; and
6. having active play time withheld for disciplinary purposes.

D. Time Out

1. Time out shall not be used for children under age two.

2. A time out shall take place within sight of staff.

3. The length of each time out shall be based on the age of the child and shall not exceed one minute per year of age.

E. The behavior management policy shall establish steps for addressing behaviors identified by the provider as dangerous and/or out of control behaviors. Suspension or expulsion should only be considered as a final action after the implementation of behavior support strategies, including at a minimum:

1. engaging parents by written communication and/or parent conference; and

2. providing a referral to EarlySteps, Child Search, and/or mental health consultant, if appropriate.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98.43, R.S. 15:587.1, and R.S. 17:407.71.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 51:

Chapter 5. CCAP Household Eligibility

§509. Certification Requirements for Non-Categorically Eligible Households

A. - A.3.b.v. ...

vi. Repealed.

vii. ...

viii. Repealed.

A.3.b.ix. - 4. ...

a. Exception. If a household is experiencing homelessness, the household shall have 90 calendar days from the date of its initial determination of eligibility to submit documentation supporting the initial determination of eligibility.

5. - 5.e....

i. To become certified as a CCAP household in accordance with this exception, the household must meet all certification requirements in this Section other than the employment and/or training activities required in this Section, and must submit all documentation establishing that the head of household is actively seeking employment and/or training.

ii. - iii. ...

iv. When a CCAP waiting list is in use, actively seeking employment status is only accepted for redetermination cases.

6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:407.28, and 45 CFR Parts 98 and 99.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:43 (January 2016), amended LR 42:2175 (December 2016), LR 44:261 (February 2018), effective March 1, 2018, LR 45:900 (July 2019), LR 46:1373 (October 2020), LR 47:573 (May 2021), LR 48:31 (January 2022), LR 48:1270 (May 2022), LR 51:

§512. Redetermination of Household Certification for Non-Categorically Eligible Households

A. ...

B. Repealed.

C. The LDOE will allow a presumptive eligibility period of up to 30 days on redetermination cases, following the recertification anniversary date, which is the deadline for redetermination application.

D. A redetermination application received after the 30 days of the presumptive eligibility period will be considered a new application.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Parts 98 and 99 and R.S. 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:801 (April 2018), LR 51:

§515. Payments Made on Behalf of Households

A. The state maximum daily rates for CCAP care for child care provider types are as follows:

1. Type III Early Learning Center.

a. Regular Care—\$31.50;

b. Regular Care for Toddlers—\$42.00;

c. Regular Care for Infants—\$68.00;

d. Special Needs Care Incentive—\$39.69;

e. Special Needs Care Incentive for Toddlers—\$52.92; and

f. Special Needs Care Incentive for Infants—\$85.68.

2. School Child Care Center.

a. Regular Care—\$24.00;

b. Regular Care for Toddlers—\$24.00;

c. Regular Care for Infants—\$24.00;

d. Special Needs Care Incentive—\$30.24;

e. Special Needs Care Incentive for Toddlers—\$30.24; and

f. Special Needs Care Incentive for Infants—\$30.24.

3. Family Child Care Provider.

a. Regular Care—\$29.00;

b. Regular Care for Toddlers—\$42.00;

c. Regular Care for Infants—\$61.00;

d. Special Needs Care Incentive—\$36.54;

e. Special Needs Care Incentive for Toddlers—\$52.92; and

f. Special Needs Care Incentive for Infants—\$76.86.

4. In-Home Provider.

a. Regular Care—\$25.00;

b. Regular Care for Toddlers—\$25.25;

c. Regular Care for Infants—\$26.65;

d. Special Needs Care Incentive—\$31.50;

e. Special Needs Care Incentive for Toddlers—\$31.82; and

f. Special Needs Care Incentive for Infants—\$33.58.

5. Military Child Care Centers.

a. Regular Care—\$31.50;

b. Regular Care for Toddlers—\$42.00;

c. Regular Care for Infants—\$68.00;

d. Special Needs Care Incentive—\$39.69;

e. Special Needs Care Incentive for Toddlers—\$52.92; and

f. Special Needs Care Incentive for Infants—\$85.68.

B. - C.3. ...

D. Automated payment for voucher seats will be made prior to provision of child care services.

E. - H.6. ...

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Parts 98 and 99, and R.S. 17:6 and 17:407.28.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2116 (October 2015), amended LR 42:44 (January 2016), LR 42:1870 (November 2016),

LR 44:801 (April 2018), LR 45:1745 (December 2019), LR 47:573 (May 2021), LR 48:31 (January 2022), LR 48:1270 (May 2022), LR 50:971 (July 2024), LR 51:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.
2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.
3. Will the proposed Rule affect the functioning of the family? No.
4. Will the proposed Rule affect family earnings and family budget? No.
5. Will the proposed Rule affect the behavior and personal responsibility of children? No.
6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records. For the purposes of this section, the word "poverty" means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.
2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes.
3. Will the proposed Rule affect employment and workforce development? No.
4. Will the proposed Rule affect taxes and tax credits? No.
5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? Yes.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, February 9, 2025, to Tavares A. Walker, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Tavares A. Walker, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Tavares A. Walker
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Early Childhood Centers and Providers

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no anticipated implementation costs or savings to state or local governmental units due to the proposed rule change. The proposed rule change strengthens measures designed to protect children, provides additional clarity to early learning providers, and aligns Board of Elementary and Secondary Education (BESE) policy with federal and state regulations. Additional revisions address parental notice and consent, Child Care Criminal Background Check (CCCBC) based determinations, and health and safety requirements such as safe sleep procedures, transportation records, and hazards to children. Further revisions address Child Care Assistance Program (CCAP) eligibility and payments. Reorganization of some information has occurred for ease of access and understanding. Codification of charts ensures American Disabilities Act (ADA) compliance and readability. The reorganization groups and aligns like-topics, such as general health and safety that applies to all providers and centers regulated by these bulletins. Updates also establish provisions for the administration of stock medication in accordance with Act 657 of the 2024 RS.

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

There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.

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

There may be costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change should an early learning center or provider choose to maintain a supply of stock medications. The cost to purchase the medication will be market price unless discounted pricing is negotiated. The associated training may also constitute a cost for employers who choose to participate in the program. Other trainings are already required in BESE

policy and would not constitute an increase in costs. The Louisiana Department of Education (LDOE) also provides some trainings free of charge.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.

Beth Scioneaux
Deputy Superintendent
2501#025

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Board of Regents
Office of Student Financial Assistance**

Scholarship/Grant Programs
2024-2025 Chafee ETV Award Amount
(LAC 28:IV.1801 and 1809)

The Board of Regents announces its intention to amend its Scholarship/Grant rules (LSA-R.S. 17:3021-3025, LSA-R.S. 3041.10-3041.15, LSA-R.S. 17:3042.1, LSA-R.S. 17:3048.1, LSA-R.S. 17:3048.5 and LSA-R.S. 17:3048.6).

This rulemaking implements provisions of the Consolidated Appropriations Act of 2021 with regard to the treatment of Chafee Educational and Training Voucher when determining a student's financial aid eligibility. (SG25220NI)

**Title 28
EDUCATION**

**Part IV. Student Financial Assistance—Higher
Education Scholarship and Grant Programs
Chapter 18. Chafee Educational and Training
Voucher Program**

§1801. General Provisions

A. - E.2. ...

3. Beginning in the 2024-2025 academic year, a student who is eligible for the Chafee ETV shall receive \$5,000 without regard to financial need.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2547 (November 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:554 (March 2018), LR 47:1495 (October 2021), LR 51:

§1809. Award Amount Determination

A. - B.2. ...

C. Award Amount Determination

1.a. Through the 2023-2024 academic year, institutions of higher education will determine the student's Chafee ETV amount based upon his financial need in accordance with the Higher Education Act of 1965, as amended, and will report that award amount to LOSFA.

b. Institutions of higher education shall provide students the opportunity to appeal the amount of the Chafee ETV amount if the award to the student is less than the maximum annual award amount. Such appeals shall be conducted in accordance with the institution of higher education's procedures for appealing title IV student aid eligibility. Immediately upon receipt of an appeal, the

institution of higher education shall notify LOSFA of the appeal, the student's name, and the reason for awarding less than the full grant amount. In the event the student is not satisfied with the school's final decision on the appeal, the institution of higher education shall advise the student that he may appeal the institution of higher education's decision to the Department of Children and Family Services.

2.a. Beginning with the 2024-2025 academic year, institutions of higher education shall award the full amount of the Chafee ETV to eligible students without regard to financial need.

b. The Chafee ETV shall not be considered other financial assistance when determining a student's eligibility for other federal financial assistance, and receipt of such award shall not reduce any other federal financial assistance for which a student may be eligible.

D. - E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2549 (November 2010), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:556 (March 2018), amended LR 47:862 (July 2021), LR 47:1495 (October 2021), LR 51:

Family Impact Statement:

The proposed Rule has no known impact on family formation, stability, or autonomy, as described in LSA-R.S. 49:972.

Poverty Impact Statement:

The proposed rulemaking will have no impact on poverty as described in LSA-R.S. 49:973.

Small Business Analysis:

The proposed Rule will have no adverse impact on small businesses as described in LSA-R.S. 49:965.2 et seq.

Provider Impact Statement:

The proposed Rule will have no adverse impact on providers of services for individuals with developmental disabilities as described in HCR 170 of 2014.

Public Comments:

Interested persons may submit written comments on the proposed changes (SG25220NI) until 4:30 p.m., February 10, 2025, by email to LOSFA.Comments@la.gov or to Sujuan Williams Boutté, Ed. D., Executive Director, Office of Student Financial Assistance, P. O. Box 91202, Baton Rouge, LA 70821-9202.

Robyn Rhea Lively
Senior Attorney

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: 2024-2025 Chafee ETV Award Amount**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no anticipated costs or savings to state or local governmental units as result of the proposed Rule change outside the cost associated with the rulemaking process.

The proposed Rule change implements provisions of the Federal Consolidated Appropriations Act of 2021 with regard to the treatment of the Chafee Educational and Training Voucher (ETV) Program and the determining of a student's financial aid eligibility. It allows a student who is eligible for

the Chafee ETV to receive the full award amount of \$5,000 without regard to financial need or other federal financial assistance, beginning with the 2024-2025 academic year.

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

The proposed Rule change is not anticipated to result in a direct material change in revenue for state or local governments.

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

Individuals who are eligible for the Chafee ETV may now qualify for more federal financial assistance. Previously, the Chafee ETV was considered “other financial assistance” when determining a student's eligibility for other federal financial assistance, resulting in a reduction of any other federal financial assistance a student may be eligible to receive. The proposed change prevents such a reduction and allows eligible students to receive the full award amount without regard to financial need or other federal financial assistance received. The proposed change will not provide or impact economic benefits to small businesses or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no anticipated effects on competition and employment resulting from this change.

Robyn Rhea Lively
Senior Attorney
2501#015

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Board of Regents Office of Student Financial Assistance

Scholarship/Grant Programs
2024 COVID-19 Exceptions
(LAC 28:IV.2103)

The Board of Regents announces its intention to amend its Scholarship/Grant rules (R.S. 17:3021-3025, R.S. 3041.10-3041.15, R.S. 17:3042.1, R.S. 17:3048.1, R.S. 17:3048.5 and R.S. 17:3048.6).

This rulemaking implements COVID-19 as a circumstance for which students may request an exception to the continuous, full time, and earned annual hours requirements for TOPS. (SG24215NI)

Title 28 EDUCATION

Part IV. Student Financial Assistance—Higher Education Scholarship and Grant Programs Chapter 21. Miscellaneous Provisions and Exceptions §2103. Circumstances Warranting Exception to the Initial and Continuous Enrollment Requirements

A. - E.13.c. ...

14. COVID-19—Fall 2020 through Summer 2022

a. Definition. The student/recipient is unable to enroll in school, to maintain continuous enrollment in school, or to earn the required annual hours due to circumstances related to the COVID-19 pandemic as follows:

- i. you struggle with on-line instruction; or
- ii full time enrollment in on-line instruction is not conducive to your major/course of study; or

iii. you do not have the appropriate infrastructure, such as internet access, sufficient bandwidth for the number of people attending school/working from home, etc., to attend classes on-line; or

iv. your parent(s) were unable to work, lost their employment, or worked reduced hours due to mitigation measures implemented to prevent the spread of COVID-19.

b. Certification Requirements. The student/recipient must submit the following documentation:

i. if requesting an exception based on Section 14.a.i. above, a letter from a parent and/or a letter from an academic advisor or dean at your school stating that you struggle with on-line enrollment; or

ii. if requesting an exception based on Section 14.a.ii above, a letter from an academic advisor or dean at your school that full time enrollment in on-line instruction is not conducive to your major/course of study; or

iii. if requesting an exception based on Section 14.a.iii. above, a letter from a parent or other documentation that you do not have the appropriate infrastructure at home to attend courses on-line; or

iv. if requesting an exception based on Section 14.a.iv above, a letter from your parent/parents as well as a letter from their employer stating that the parent/parents were unable to work, lost their employment, or worked reduced hours due to mitigation measures implemented to prevent the spread of COVID-19.

c. Length of Exception. Available for the fall semester/quarter of 2020 through the summer semester/quarter of 2022.

15. COVID-19—Fall 2023 through Summer 2024

a. Definition. The student/recipient is unable to enroll in school, to maintain continuous enrollment in school, or to earn the required annual hours due to circumstances related to the COVID-19 pandemic as follows:

i. You have been diagnosed with COVID-19; or

ii. A member of your family with whom you reside has been diagnosed with COVID-19; or

iii. You were exposed to COVID-19 and must adhere to COVID-19 quarantine protocols; or

iv. you live with or provide care to a family member who is at risk for severe complications if they contract COVID-19.

b. Certification Requirements. The student/recipient must submit the following documentation:

i. if requesting an exception based on Section 15.a.i or ii, above, a written statement of diagnosis from a qualified health care provider or a pharmacy. If you do not have a written statement of diagnosis or the affected individual tested positive on a home COVID-19 test, you must provide a sworn affidavit from a family member other than the affected individual attesting to the positive COVID-19 test; or

ii. if requesting an exception based on Section 15.a.iii. above,

a sworn affidavit from you attesting that you have been exposed to COVID-19 and a copy or link to your college or university's policy regarding such exposure; or

b. documentation of a notification from a public health authority, your postsecondary institution, or other reliable source notifying you of exposure; or

Robyn Rhea Lively
Senior Attorney

iii. if requesting an exception based on Section 14.a.iv above, a letter from a qualified health care provider attesting that you live with or provide care for a family member who is at high risk for severe complications if they contract COVID-19.

a. Length of Exception. Available for the fall semester/quarter of 2023 through the summer semester/quarter of 2024.

b. In the event that there is an increase in COVID-19 positivity rates on a majority of the campuses of eligible colleges and universities such that they are required to offer instruction solely online or in a hybrid format, some or all of the requirements of §2103.E.14. may be reinstated for the time period specified in §2103.E.15.c. Reinstatement of these provisions will be communicated via bulletins to eligible colleges and universities, on LOSFA's website, and through LOSFA's social media.

F. - I.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:5001 et seq., and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1648 (December 1997), repromulgated LR 24:647 (April 1998), amended LR 24:1916 (October 1998), LR 26:1015 (May 2000), LR 26:2002 (September 2000), LR 27:36 (January 2001), repromulgated LR 27:1866 (November 2001), amended LR 27:1875 (November 2001), LR 28:46 (January 2002), LR 28:449 (March 2002), LR 28:775 (April 2002), LR 28:2330 and 2333 (November 2002), LR 29:126 (February 2003), LR 29:2373 (November 2003), LR 29:2373 (November 2003), LR 30:785 (April 2004), LR 30:1167 (June 2004), LR 31:1060 (May 2005), LR 33:440 (March 2007), LR 35:1233 (July 2009), LR 38:3160 (December 2012), LR 41:657, 667 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:562 (March 2018), LR 45:1173 (September 2019), LR 51:

Family Impact Statement

The proposed Rule has no known impact on family formation, stability, or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule will have no adverse impact on small businesses as described in R.S. 49:965.2 et seq.

Provider Impact Statement

The proposed Rule will have no adverse impact on providers of services for individuals with developmental disabilities as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments on the proposed changes (SG24215NI) until 4:30 p.m., February 10, 2025, by email to LOSFA.Comments@la.gov or to Sujuan Williams Boutté, Ed. D., Executive Director, Office of Student Financial Assistance, P. O. Box 91202, Baton Rouge, LA 70821-9202.

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Scholarship/Grant Programs 2024 COVID-19 Exceptions

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There will be an increase in Taylor Opportunity Program for Students (TOPS) expenditures as a result of the proposed rulemaking, however the magnitude of the increase is indeterminable.

The proposed Rule adds a COVID-19 Exception with eligibility for the exception limited to students impacted during the 2023-24 academic year. Students who apply and qualify for the new exception will regain or maintain their TOPS award eligibility. Restoring a student's TOPS award will reduce any program cost savings associated with COVID-19 related impacts to student academic progress and is anticipated to increase TOPS expenditures in future fiscal years by shifting costs to a later term or, in a few cases, allowing a student who would have been cancelled under normal conditions to retain their award.

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

There is no impact on state or local governmental revenues.

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

The proposed rulemaking will benefit students impacted by COVID-19 by enabling them to retain their TOPS funding and pursue postsecondary education and thus gain educational benefits and access to higher paying jobs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no anticipated effects on competition and employment resulting from these measures other than promoting a better educated pool of workers.

Robin Rhea Lively
Senior Attorney
2501#014

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Advanced Recycling
(LAC 33:VII.115, 301, 401, and 10303) (SW070)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Solid Waste regulations, LAC 33:VII.115, 301, 401, and 10303 (SW070).

This Rule provides updates to the solid waste regulations incorporating amendments resulting from Act 460 of the 2021 Regular Legislative Session and Act 43 of the 2023 Regular Legislative Session. These Acts defined advanced recycling and provided exclusions for advanced recycling processes, facilities, and products from solid waste. This Rule will promote the planning and application of recycling and resource recovery systems. The basis and rationale for this Rule are to revise and updated advanced recycling definitions and processes as authorized in Act 460 of the 2021 Regular Legislative Session and Act 43 of the 2023 Regular Legislative Session. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

TITLE 33
ENVIRONMENTAL QUALITY
Part VII. Solid Waste

Subpart 1. Solid Waste Regulations

Chapter 1. General Provisions and Definitions

§115. Definitions

A. ...

* * *

Advanced Recycling—a manufacturing process for the conversion of post-use polymers and recovered feedstocks into basic raw materials, feedstocks, chemicals, and other products through processes that include pyrolysis, gasification, depolymerization, catalytic cracking, reforming, hydrogenation, solvolysis, chemolysis and other similar technologies. The recycled products produced at advanced recycling facilities include but are not limited to monomers, oligomers, plastics, plastic and chemical feedstocks, basic and unfinished chemicals, waxes, lubricants, coatings, and adhesives. *Advanced recycling* does not include incineration of plastics or waste-to-energy processes. Products sold as fuel are not recycling products. *Advanced recycling* shall be considered *recycling* as defined in LAC 33:VII.10303. *Advanced recycling* shall not be considered solid waste management, solid waste processing, solid waste recovery, incineration, treatment, or waste-to-energy.

Advanced Recycling Facility—a manufacturing facility that receives, stores, and converts post-use polymers and recovered feedstocks it receives using advanced recycling. An *advanced recycling facility* is a manufacturing facility subject to applicable department manufacturing regulations for air, water, waste, and land use. *Advanced recycling facilities* shall not be considered solid waste disposal facilities, final disposal facilities, solid waste management facilities, solid waste processing facilities, solid waste recovery facilities, incinerators, or waste-to-energy facilities.

* * *

Depolymerization—a manufacturing process through which post-use polymers are broken down into smaller molecules such as monomers and oligomers or raw, intermediate, or final products, plastics, plastic and chemical feedstocks, basic and unfinished chemicals, waxes, lubricants, and coatings.

* * *

Gasification—a manufacturing process through which post-use polymers or recovered feedstocks are heated in an oxygen-controlled atmosphere and converted into syngas,

which is a mixture of carbon monoxide and hydrogen, followed by conversion into valuable raw, intermediate, and final products, including but not limited to plastic monomers, chemicals, waxes, lubricants, chemical feedstocks, that are returned to economic utility in the form of raw materials or products.

* * *

Mass Balance Attribution—a chain of custody accounting methodology with rules defined by a third party certification system that enables the attribution of the mass of advanced recycling feedstocks to one or more advanced recycling products.

* * *

Post-Use Polymer—a plastic to which all of the following apply:

a. the plastic is derived from any industrial, commercial, agricultural, or domestic activities, and includes pre-consumer recovered materials and post-consumer materials;

b. the plastic is not mixed with solid waste or hazardous waste onsite or during processing at the advanced recycling facility;

c. the plastics' use or intended use is as a feedstock for the manufacturing of feedstocks, raw materials, or other intermediate products or final products using advanced recycling;

d. the plastic has been sorted from solid waste and other regulated waste but may contain residual amounts of waste such as organic material and incidental contaminants or impurities such as paper labels or metal rings; and

e. the plastic is processed at an advanced recycling facility or held at such facility prior to processing.

* * *

Pyrolysis—a manufacturing process through which post-use polymers or recovered feedstocks are heated in the absence of oxygen until melted and thermally decomposed, non-catalytically or catalytically, and are then cooled, condensed, and converted into valuable raw materials and intermediate and final products, including but not limited to plastic monomers, chemicals, naphtha, waxes, and plastic and chemical feedstocks that are returned to economic utility in the form of raw materials or products.

* * *

Recovered Feedstock—one or more of the following materials that have been processed so that it may be used as feedstock in an advanced recycling facility: (1) post-use polymers; or (2) materials for which the United States Environmental Protection Agency or the department has made a nonwaste determination or has otherwise determined are feedstocks and not solid waste. The term *recovered feedstock* shall not include the following:

a. unprocessed municipal solid waste;

b. commonly recycled paper that is segregated from solid waste;

c. commonly recycled paper that is collected as part of a collection system that commingles the paper with other solid waste at any point from the time of collection through the materials recovery; or

d. material that is mixed with solid waste or hazardous waste onsite or during processing at an advanced recycling facility.

* * *

Recycled Plastics or Recycled Plastic—products that are produced from the following:

- a. mechanical recycling of pre-consumer recovered feedstocks or plastics, and post-consumer plastics; or
- b. advanced recycling of pre-consumer recovered feedstocks or plastics, and post-consumer plastics via mass balance attribution under a third party certification system.

* * *

Resource Management—the process by which solid waste is collected, transported, stored, separated, processed, or disposed of in any other way, according to an orderly, purposeful, and planned program. Resource management shall not include the storage of post-use polymers or recovered feedstocks or the conversion of post-use polymers or recovered feedstocks through advanced recycling.

Resource Recovery—the process by which materials, excluding those under control of the Nuclear Regulatory Commission, which still have useful physical or chemical properties after serving a specific purpose are reused or recycled for the same or other purposes, including uses as an energy source. The term *resource recovery* shall not include the conversion of post-use polymers or recovered feedstocks through advanced recycling.

Resource Recovery and Management Facility—any solid waste disposal area or other facility, the purpose of which is resource recovery or the disposal, recycling, processing, or storage of solid waste, excluding any *processing, treatment, or disposal facility* as defined in R.S. 30:2173. *Resource recovery and management facility* shall not include a facility that stores post-use polymers or recovered feedstocks or converts post-use polymers or recovered feedstocks through advanced recycling.

* * *

Solvolysis—a manufacturing process through which post-use polymers are purified with the aid of solvents while heated at low temperatures or heated at low temperatures and pressurized to make useful products, while allowing additives and contaminants to be removed. The products of *solvolysis* include monomers, intermediates, valuable chemicals, plastic and chemical feedstocks, and raw materials. The process includes but is not limited to hydrolysis, aminolysis, ammonolysis, methanolysis, and glycolysis.

* * *

Third-Party Certification System—an international and multi-national third-party certification system which consists of a set of rules for the implementation of mass balance attribution approaches for advanced recycling of materials. *Third-party certification systems* include but are not limited to International Sustainability and Carbon Certification, Underwriters Laboratories, SCS Recycled Content Certification, Roundtable on Sustainable Biomaterials, EcoLoop, and REDcert.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and in particular R.S. 30:2154.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 22:279 (April 1996), amended by the Office of Waste Services, Solid Waste Division, LR 23:1145 (September 1997), amended by the

Office of Environmental Assessment, Environmental Planning Division, LR 26:2514, 2609 (November 2000), amended by the Office of Environmental Assessment, LR 31:1576 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 33:1019 (June 2007), LR 34:1023 (June 2008), LR 34:1399 (July 2008), LR 37:1563 (June 2011), LR 37:3233 (November 2011), LR 38:46 (January 2012), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:234 (February 2019), amended by the Office of the Secretary, Legal Affairs Division, LR 51:

Chapter 3. Scope and Mandatory Provisions of the Program

§301. Exempted Waste

A. - A.2.f. ...

g. uncontaminated scrap metal materials that are purchased for resale to be recycled or reused and are not destined for disposal;

h. automotive fluff that results from the shredding of automobiles by a scrap metal recycling facility authorized under the laws of the state of Louisiana and from which metals have been recovered to the maximum extent practicable by the scrap metal recycling facility; and

i. post-use polymers or recovered feedstocks that are either converted through advanced recycling, or are stored, for the purpose of conversion, at an advanced recycling facility prior to conversion and are managed at an advanced recycling facility that stores or converts post-use polymers or recovered feedstocks, provided all of the following requirements are met:

i. the storage of the post-use polymers or recovered feedstocks prior to conversion shall not exceed reasonable time frames;

ii. where there is an analogue ingredient, the post-use polymers or recovered feedstocks shall be managed in a manner consistent with the analogous ingredient or otherwise be adequately contained to prevent releases to the environment;

iii. if there is no analogous ingredient, the post-use polymers or recovered feedstocks shall be adequately contained to prevent releases to the environment;

iv. the post-use polymers or recovered feedstocks shall provide a useful contribution to the production or manufacturing process or be used to produce a valuable product or intermediate. A contribution is useful if it contributes a valuable ingredient to the product or intermediate or is an effective substitute for a commercial product. The product or intermediate is valuable if either:

(a). post-use polymers or recovered feedstocks are sold to a third party; or

(b). post-use polymers or recovered feedstocks are used as an effective substitute for a commercial product or as an ingredient or intermediate in an industrial process;

v. the use of post-use polymers or recovered feedstocks shall result in products that contain contaminants at levels that are comparable in concentration to or lower than those found in traditional products that are manufactured with post-use polymer products;

vi. prior to conducting any advanced recycling activities, the person conducting such activities shall submit written notification to the department in accordance with LAC 33:V.401.D.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 22:279 (April 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2515 (November 2000), LR 28:780 (April 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2485 (October 2005), LR 33:1027 (June 2007), LR 33:2140 (October 2007), LR 33:2364 (November 2007), LR 34:612 (April 2008), amended by the Office of the Secretary, Legal Affairs Division, LR 51:

Chapter 4. Administration, Classifications, and Inspection Procedures for Solid Waste Management Systems

§401. Notification

A. - C. ...

D. Persons who operate advanced recycling facilities, including storing post-use polymers or recovered feedstocks, or converting post-use polymers and recovered feedstocks through advanced recycling are required to submit written notification to the department prior to operation. A form to be used for notification shall be obtained from the Office of Environmental Services or through the department's website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2517 (November 2000), amended by the Office of Environmental Assessment, LR 30:2024 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2487 (October 2005), LR 33:1031 (June 2007), LR 33:2141 (October 2007), amended by the Office of the Secretary, Legal Affairs Division, LR 51:

Subpart 2. Recycling

Chapter 103. Recycling and Waste Reduction Rules

§10303. Definitions

A. ...

Solid Waste—any garbage, refuse, sludge, and other discarded material, including those in a solid, liquid, or semisolid state resulting from residential, community, or commercial activities. As used in this Chapter, the term *solid waste* shall not include mining, agricultural, special and industrial wastes, or hazardous and infectious wastes. It also does not include or mean solid or dissolved material in domestic sewage or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under R.S.30:2074, or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), as amended, or hazardous waste subject to permits under R.S. 30:2171 et seq. The definition of *solid waste* shall not include recovered materials or uncontaminated scrap metal materials which are purchased for resale to be recycled or reused and are not destined for disposal. It also shall not include *post-use polymers* or *recovered feedstocks* as defined in R.S. 30:2153 that are converted through *advanced recycling* as defined in R.S. 30:2153 or are held at an *advanced recycling facility* as defined in R.S. 30:2153 prior to conversion.

Solid Waste Management Facility—any solid waste disposal area, volume reduction plant, transfer station, or other facility the purpose of which is resource recovery or

the disposal, recycling, processing, or storage of solid waste and which is owned or operated by or receives solid waste from a parish or municipality. This does not include advanced recycling facilities as defined in R.S. 30:2153 or those facilities which collect, process, remanufacture, or ship recovered materials unless such facilities are engaged in the management of solid waste.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2411-2422.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 18:35 (January 1992), amended by the Office of the Secretary, Legal Affairs Division, LR 37:3259 (November 2011).amended by the Office of the Secretary, Legal Affairs Division, LR 51:

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small business as described in R.S. 49:974.1 - 974.8.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by SW070. Such comments must be received no later than March 4, 2025, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, by fax (225) 219-4068, or by E-mail to DEQ.Reg.Dev.Comments@la.gov. Copies of the proposed regulation can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of SW070. The proposed regulation is available on the Internet at <https://deq.louisiana.gov/page/monthly-regulation-changes-2025%20>.

Public Hearing

A public hearing will be held on February 25, 2025, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend in person or via Zoom at <https://deqlouisiana.zoom.us/j/6836133613?omn=99171361072> or by telephone by dialing (646) 255-1997 using the meeting ID 683 613 3613. Should individuals with a disability need an accommodation in order to participate, contact Doug Bordelon at the address given below or at (225) 219-1325.

The proposed regulation is available for inspection at the following LDEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 508 Downing Pines Road, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New

Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Aurelia S. Giacometto
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Advanced Recycling**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no anticipated implementation costs or savings to state or local governmental units as a result of the proposed rule change.

This proposed rule change provides for revisions and updates to the solid waste definitions and exemptions, and adopts the advanced recycling processes, facilities, and products authorized in Act 460 of the 2021 Regular Legislative Session and Act 43 of the 2023 Regular Legislative Session.

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

There is no estimated effect on revenue collections of state or local governmental units as a result of the proposed rule change.

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

The proposed rule change is not anticipated to result in a change in costs or economic benefit to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The effects resulting from the proposed rule change are anticipated to be negligible on competition and employment in the public and private sectors.

Aurelia S. Giacometto
Secretary
2501#037

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Office of the Governor
Commission on Law Enforcement and
Administration of Criminal Justice**

Peace Officer Training (LAC 22:III.Chapter 47)

In accordance with the provision of R.S. 40:2401, et. seq., the Peace Officer Standards and Training Act, and R.S. 40:905 et. seq., which is the Administrative Procedure Act, the Peace Officer Standards and Training Council hereby, gives notice of its intent to promulgate rules and regulations relative to the training of peace officers.

Title 22

**CORRECTIONS, CRIMINAL JUSTICE AND LAW
ENFORCEMENT**

**Part III. Commission on Law Enforcement and
Administration of Criminal Justice**

Subpart 4. Peace Officers

Chapter 47. Standards and Training

§4707. Out of State Transfers

A. - D. ...

E. Out-of-state transfers shall not be eligible for Louisiana POST certification if their out-of-state certification has been revoked.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1204 and R.S. 15:1207.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Commission on Law Enforcement and Administration of Criminal Justice, LR 13:434 (August 1987), amended LR 25:664 (April 1999), LR 35:1236 (July 2009), LR:51

§4731. Revocation of Certification

A. - F. ...

G. Any revocation of certification “for cause” shall be permanent. “For cause” shall refer to any revocation, except a revocation for “failure to complete additional training as required/prescribed by the council”.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1204 and R.S. 15:1207.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Commission on Law Enforcement and Administration of Criminal Justice, LR 25:665 (April 1999), amended LR 34:1927 (September 2008), LR 44:1008 (June 2018), LR:51

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule has been considered. This proposed Rule will have no impact on family functioning, stability, or autonomy as described in R.S. 49:972 since it specifies the basis for peace officer revocation for out of state transfers.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973. B. In particular, there should be no known or foreseeable effect on: (1) the effect on household income, assets, and financial security; (2) the effect on early childhood development and preschool through post-secondary education development; (3) the effect on employment and workforce development; (4) the effect on taxes and tax credits; (5) the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

An analysis of the proposed Rule shows that it will have no impact on the family as described in R.S. 49:972, nor any impact on small business as defined by Act 820 of 2008.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirement or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to the same level of service.

Public Comments

Interested persons may submit written comments on this proposed Rule no later than February 27, 2025 at 5 p.m. to Rebekah Taylor Hill, Peace Officer Standards and Training Council, Louisiana Commission on Law Enforcement, Box 3133 Baton Rouge, LA 70821.

Mr. Jim Craft
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Peace Officer Training**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed Rule change will not impact costs or savings to state or local governmental units.

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice proposes to amend LAC Title 22: Corrections, Criminal Justice and Law Enforcement, Part III: Commission on Law Enforcement and Administration of Criminal Justice, Subpart 4. Peace Officers, Chapter 47: Standards and Training, Section 4707 – Out of State Transfers and Section 4737 – Revocation of Certification, for a basic peace officer.

The proposed Rule change clarifies that a peace officer who is an out of state transfer and whose certification had been previously revoked is not eligible for certification in Louisiana. In addition, the proposed Rule specifies that any revocation "for cause" shall be permanent.

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

The proposed Rule will not increase revenue collections of state or local governmental units as a result of the proposed Rule change.

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

There will be an economic cost to those out-of-state peace officers with revoked certifications, as they will no longer be eligible for certification in Louisiana, and thus ineligible to be employed or earn wages as a peace officer in Louisiana.

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

There is no estimated effect on competition or employment in the public or private sector as a result of this proposed amendment.

Jim Craft
Executive Director
2501#010

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Office of the Governor
Division of Administration
and
Department of Public Safety and Corrections
Public Safety Services**

Louisiana State Police Video Public Records Requests
(LAC 55:I.903)

In accordance with R.S. 49:5950 et seq., the Department of Public Safety and Corrections, Public Safety Services hereby recognizes circumstances requiring implementation of a Rule relative to State Police video public records. Statistical analyses show a projected increase of public records requests for body-worn camera (BWC) and in-car camera (ICC) video footage. Public Safety Services operating costs increase parallel with the linear trend of increased BWC/ICC requests. Louisiana courts recognize

the evolution of technology and a contemporarily developing body of law. *Johnson v. Pineville*, 08-1234, (La. App. 3 Cir. 4/8/09), 9 So.3d 313. In accordance with the provisions of R.S. 49:962, R.S. 39:241, and R.S. 44:32, the Division of Administration, Office of the Commissioner proposes to adopt §903 as a supplement to the Uniform Fee Schedule to provide for State Police video public records.

Title 55

PUBLIC SAFETY

Part I. State Police

Chapter 9. Photographs and Videos

**§903. Videos Related to Louisiana State Police Public
Records Requests**

A.1. Copies of Louisiana State Police video public records furnished to a person so requesting shall be provided at fees according to the following schedule:

a. \$10 per video less than or equal to 20 minutes in length;

b. \$0.50 per minute for videos longer than 20 minutes in length.

2. For purposes of this Section, *minute* includes one full minute, and no charge shall be given based on rounding up any additional seconds between full minute increments.

B. The fee for production of such videos shall be provided to the requester by Louisiana State Police in advance of production.

C. This schedule does not apply to copies of Louisiana State Police video public records requested from another state agency.

D. For the purposes of this Part, Louisiana State Police video public records include but are not limited to: body-worn camera footage retained by Louisiana State Police regardless of law enforcement agency, in-car dash camera video retained by Louisiana State Police regardless of law enforcement agency, and third party videos, including security video, retained by Louisiana State Police.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:241, R.S. 44:32, and R.S. 36:406.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services and Division of Administration, Office of the Commissioner, LR 51:

Family Impact Statement

The effect of this proposed Rule on the stability of the family. This proposed Rule will have no effect on the stability of the family.

The effect of this proposed Rule on the authority and rights of parents regarding the education and supervision of their children. This proposed Rule will have no effect on the authority and rights of parents regarding the education and supervision of their children.

The effect of this proposed Rule on the functioning of the family. This proposed Rule will have no effect on the functioning of the family.

The effect of this proposed Rule on family earnings and family budget. This proposed Rule will have no effect on family earnings and family budget.

The effect of this proposed Rule on the behavior and personal responsibility of children. This proposed Rule will have no effect on the behavior and personal responsibility of children.

The effect of this proposed Rule on ability of the family or local government to perform the function as contained in the proposed Rule. This proposed Rule will have no effect on

the ability of the family or local government to perform the function as contained in the proposed rules.

Poverty Impact Statement

The impact of the proposed Rule on families and children in poverty has been considered and it has been determined that the proposed Rule should not negatively impact household income, assets, and financial security, early childhood development and preschool through postsecondary education development, employment and workforce development, taxes and tax credits, nor child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The impact of the proposed Rule on small businesses has been considered, and it is estimated that the proposed action is not expected to have any adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as provided by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. The staffing level requirements or qualifications required to provide the same level of service;
2. The total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. The overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments or requests for public hearing on this proposed rule change to Lieutenant Colonel Greg Graphia, Chief Administrative Officer, Louisiana State Police, P.O. Box 66614, Baton Rouge, Louisiana, 70896. The deadline for these comments is 4:30 p.m., February 10, 2025.

Jason Hessick
Assistant Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Louisiana State Police Video Public Records Requests

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Department of Public Safety (DPS) proposes to adopt Section 903 (Videos Related to Louisiana State Police Public Records Requests) of Part I, Chapter 9 of Title 55 (Public Safety) of the Louisiana Administrative Code. Specifically, the proposed rule establishes the following fee schedule for copies of videos related to public records requests.

\$10 per video less than or equal to twenty minutes in length.

\$0.50 per minute for videos longer than 20 minutes in length.

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

The proposed rule will have an indeterminable increase on state revenues. Future revenue collections will increase by \$10 per video requested which is less than or equal to twenty minutes in length and \$0.50 for each additional minute for videos longer than 20 minutes in length. In the past twelve months, LSP reports having received approximately 980 public records requests for body-worn camera and video footage and that the average number of videos per request was four. The average length of video requested was 60 minutes. As a result, LSP processed approximately 235,200 minutes of video.

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

To the extent that individuals, small businesses, or non-governmental groups request video recordings from body-worn cameras, in-car cameras, and third-party videos pertaining to public records requests, a minimum cost of \$10 per video will be incurred.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

Jason Hessick
Assistant Secretary
2501#001

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Board of Dentistry

Continuing Education Requirements
(LAC 46:XXXIII.128, 1611, 1613, 1709, and 1711)

In accordance with the applicable provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the Dental Practice Act, R.S. 37:751, et seq., and particularly R.S. 37:760 (8), notice is hereby given that the Department of Health, Board of Dentistry intends to amend LAC 46:XXXIII.128, 1611, 1613, 1709, and 1711.

The Board of Dentistry is amending LAC 46:XXXIII.128 to allow the board to designate sites where gratuitous services by out of state dentists and dental hygienists may be provided because the Department of Health has stopped specifying sites.

The Board of Dentistry is amending LAC 46:XXXIII.1611 to allow current board members to obtain one hour of continuing dental education per each attended board meeting to reflect the learning experience they obtain during the year by reviewing numerous complaints.

The Board of Dentistry is amending LAC 46:XXXIII.1613 to allow current board members to obtain one hour of continuing dental hygiene education per each attended board meeting to reflect the learning experience they obtain during the year by reviewing numerous complaints.

The Board of Dentistry is amending LAC 46:XXXIII.1709 to remove the mandatory requirement that an applicant with three licensing exam failures meet with the

full board, making it required only if deemed necessary. The Board has determined that some of these meetings were unnecessary in the past.

The Board of Dentistry is amending LAC 46:XXXIII.1711 to remove the mandatory requirement that an applicant with three licensing exam failures meet with the full board, making it required only if deemed necessary. The board has determined that some of these meetings were unnecessary in the past.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XXXIII. Dental Health Profession

Chapter 1. General Provisions

§128. Provisional Licensure for Dental Healthcare Workers Providing Gratuitous Services

A. The Board of Dentistry may grant a provisional license not to exceed 60 days in duration for any dentist or dental hygienist who is in good standing in the state of their licensure and who wishes to provide gratuitous services to the citizens of Louisiana:

A.1. ...

2. the applicant provides satisfactory documentation to the board that the dental healthcare provider is assigned to provide gratuitous services;

3. the applicant agrees to render services on a gratuitous basis with no revenue of any kind to be derived whatsoever from the provision of dental services within the state of Louisiana; and

4. the treatment site is deemed appropriate by the board.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(6) and (8) and R.S. 49:953(B).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 32:1227 (July 2006), amended by the Department of Health, Board of Dentistry, LR 43:1963 (October 2017), LR 51:

Chapter 16. Continuing Education Requirements

§1611. Continuing Education Requirements for Relicensure of Dentists

A. - B. ...

C.1. Past and present dentist members of the Louisiana State Board of Dentistry are allowed four hours of continuing dental education credit for each meeting of the American Association of Dental Examiners Boards attended by said past or present dentist member.

2. Current dentist members of the Louisiana State Board of Dentistry are allowed one hour of continuing dental education credit for each meeting of the Board attended by said current member.

D. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8) and (13).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 20:661 (June 1994), amended LR 21:569 (June 1995), LR 22:24 (January 1996), LR 22:1216 (December 1996), LR 23:1526 (November 1997), LR 24:1117 (June 1998), LR 25:510 (March 1999), LR 26:489 (March 2000), LR 30:2307 (October 2004), LR 32:244 (February 2006), LR 35:1237 (July 2009), LR 36:2038 (September 2010), LR 37:2151 (July 2011), LR 37:3515 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:817 (March 2012), LR 38:1959 (August 2012), LR 39:1282 (May 2013), amended by

the Department of Health, Board of Dentistry, LR 43:956 (May 2017), amended by the Department of Health, Board of Dentistry, LR 44:47 (January 2018), LR 50:210 (February 2024), LR 51:

§1613. Continuing Education Requirements for Relicensure of Dental Hygienists

A. - C. ...

D.1. Past and present dental hygiene members of the Louisiana State Board of Dentistry are allowed four hours of continuing dental hygiene education credit for each meeting of the American Association of Dental Examiners Boards attended by said past or present dental hygiene member.

2. Current dental hygiene members of the Louisiana State Board of Dentistry are allowed one hour of continuing dental education credit for each meeting of the Board attended by said current member.

E. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8) and (13).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 20:661 (June 1994), amended LR 21:570 (June 1995), LR 22:24 (January 1996), LR 22:1217 (December 1996), LR 23:1526 (November 1997), LR 24:1118 (June 1998), LR 25:510 (March 1999), LR 26:489 (March 2000), LR 30:2307 (October 2004), LR 32:245 (February 2006), LR 35:1237 (July 2009), LR 36:2039 (September 2010), LR 39:86 (January 2013), amended by the Department of Health, Board of Dentistry, LR 44:47 (January 2018), LR 51:

Chapter 17. Examination of Dentists

§1709. Examination of Dentists

A. - F. ...

1. has been actively practicing with an unrestricted dental license for five years in another state as defined in R.S. 37:751(A)(2), has not had any discipline by the dental board in any state, and, if deemed necessary, meets in person with the full board; or

2. following the last failure of a clinical licensure examination, completes a dental post-doctoral program of a minimum of one year which is accredited by an accreditation agency that is recognized by the United States Department of Education and, if deemed necessary, meets in person with the full board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(1) and (8).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 24:1119 (June 1998), amended LR 28:2513 (December 2002), LR 33:2654 (December 2007), LR 37:1407 (May 2011), LR 37:2151 (July 2011), LR 37:3516 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:1959 (August 2012), LR 39:86 (January 2013), LR 39:1282 (May 2013), LR 40:783 (April 2014), amended by the Board of Dentistry, LR 42:1622 (October 2016), amended by the Department of Health, Board of Dentistry, LR 44:48 (January 2018), LR 49:1383 (August 2023), LR 51:

§1711. Examination of Dental Hygienists

A. - E. ...

F. Notwithstanding any other law to the contrary or any examination manual of any of the testing agencies, no candidate for licensure in the state of Louisiana will be granted same if said candidate has failed any clinical licensing examination for a total of three times. This number includes the accumulation of all examinations taken regardless of the testing agency. A make-up examination counts as an examination. This prohibition may be overcome if the applicant meets all of the other requirements of this Rule, including the successful completion of an initial

licensure examination that included procedures on a live patient, has been actively practicing with an unrestricted Louisiana Administrative Code August 2023 48 license for five years in another state as defined in R.S. 37:751(A)2 and, if deemed necessary, meets in person with the full board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(1) and (8)

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 24:1119 (June 1998), amended LR 28:1779 (August 2002), LR 33:2654 (December 2007), LR 37:1407 (May 2011), LR 37:2151 (July 2011), LR 37:3516 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:1960 (August 2012). amended by the Department of Health, Board of Dentistry, LR 42:1662 (October 2016), amended by the Department of Health, Board of Dentistry, LR 44:48 (January 2018), LR 51:

Family Impact Statement

There will be no family impact in regard to issues set forth in R.S. 49:972.

Poverty Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973. In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses, as described in R.S. 49:965.2 et seq.

Provider Impact Statement

The proposed rulemaking should not have any know or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect of the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comment

Interested persons may submit written comments on these proposed rule changes to Arthur Hickham, Jr., Executive Director, Louisiana State Board of Dentistry, P.O. Box 5256, Baton Rouge, Louisiana, 70821. Written comments must be submitted to and received by the board by 4:30 p.m. on February 10, 2025. A request pursuant to R.S. 49:953 (A)(2) for oral presentation, argument, or public hearing must be made in writing and received by the board by 4:30 p.m. on February 10, 2025.

Arthur Hickham, Jr.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Continuing Education Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The estimated implementation costs for the Louisiana State Board of Dentistry (LSBD) are approximately \$500 in FY 25 for the notice and rule publication in the *Louisiana Register*. There are no other estimated implementation costs for state or local government units resulting from the promulgation of the proposed rule changes.

Current board members of the Louisiana State Board of Dentistry would gain the ability to earn up to one hour of continuing dental education per board meeting attended.

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

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

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

The proposed rule change is anticipated to reduce their overall expenses associated with obtaining continuing education credits. While the exact monetary benefit cannot be determined, it represents a cost-saving opportunity for board members.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment.

Arthur Hickman, Jr.
Executive Director
2501#047

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Board of Examiners of Psychologists

Applications for Licensed Specialist in School Psychology and LSSP Committee Composition
(LAC46:LXIII.3100, 3202, 3301 and 3300)

Notice is hereby given pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and in accordance with the Louisiana Licensing Law for Psychologist 37:2353.C(1), 37:2354B(3), 37:2356.1, 37:2356.3 and Section 1. Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:51 through 59, that the Board of Examiners of Psychologists ("board") intends to repeal Section 3101, add Section 3100, amend Section 3202, repeal Section 3301, and add Section 3300 related to definitions, application processes to allow for legacy, reciprocal and endorsement licensing for Licensed Specialist in School Psychology ("LSSP"); and to the broaden the inclusiveness of LSSP's on the LSSP Advisory Committee.

Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS

Part LXIII. Psychologists

Subpart 2. Licensed Specialists in School Psychology

Chapter 31. Definitions

§3100. General Definitions

The following terms are defined for the purposes of this Subpart:

A. *Academic Year*—an *academic year* is a school year as defined by the school calendar in the district of practice.

B. *Applicant*—an *applicant* for licensure as a Specialist in School Psychology is a person who submits to the board the required application fee and the complete prescribed application as set forth herein. Applicant status shall not be used for professional representation.

1. *New Applicant*—a *new applicant* is a person who is seeking licensure as a Specialist in School Psychology but does not meet the criteria of a legacy applicant, military applicant, or reciprocity applicant. New Applicants must apply using the full application process.

2. *Legacy Applicant*—a *legacy applicant* is a person who has been employed by a Local Educational Agency (LEA) under the jurisdiction of the Louisiana Board of Education/Department of Education between the period July 1, 2015 to June 30, 2025, and has held certification as a “certified school psychologist” between the period July 1, 2015 to June 30, 2025, and meets the qualifications for licensure under Chapter 33 of this Subpart.

3. *Military Applicant*—a *Military Applicants* is a member of the U.S military on active duty in Louisiana, including their spouses, or dependents, as defined by R.S. 37:3651.

4. *Reciprocity Applicant*—a *reciprocity applicant* is an applicant who holds an equivalent active license in good standing in a reciprocal state and meets the requirements set forth in Chapter 33 of this Subpart.

5. *Reinstatement Applicant*—a *reinstatement applicant* is an applicant who has previously held a license, in good standing with the Board, as a Specialist in School Psychology.

C. *Board*—the Louisiana State Board of Examiners of Psychologists.

D. *Certified School Psychologist*—A *certified school psychologist* is a person who has completed a school psychology training program that meets the National Association of School Psychologists’ requirements, has a graduate or specialist degree from a regionally accredited institution, and holds an ancillary certificate in school psychology as a “certified school psychologist” in good standing from the Louisiana Department of Education or has held an ancillary certificate in school psychology or as a “certified school psychologist” between the period July 1, 2015 to June 30, 2025.

E. *Nationally Certified School Psychologist Examination*—the *nationally certified school psychologist examination* approved by the Board to assess the knowledge and skills of individuals seeking licensure as a specialist in school psychology pursuant to this Part, is the Praxis School Psychology Examination administered by Educational Testing Service’s (ETS). The passing score for the Praxis School Psychology Examination shall be the recommended

passing score set by ETS. The Examination for Professional Practice in Psychology (EPPP) may be substituted for the Praxis School Psychology Examination. The passing score for the EPPP for independent practice at a specialist level shall be 450.

F. *Licensed Specialist In School Psychology*—a *licensed specialist in school psychology* is a person who has been issued a license to practice as a specialist in school psychology pursuant to this Part.

G. *Specialist in School Psychology*—see the definition for a *licensed specialist in school psychology*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2354, 37:2356.3 and 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 51:

§3101. Definition of Board

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41:2621 (December 2015), repealed LR 51:

Chapter 32. Licensed Specialist in School Psychology Advisory Committee

§3202. Construction, Function and Responsibilities of Advisory Committee

A. ...

B. *Composition*. The committee shall be comprised of four members, consisting of:

1. one member that is a licensed school psychologist licensed under the LSBEP who meets all requirements as determined by the Board, selected from a list of self-nominations submitted to the board;

2. one member that is a licensed specialist in school psychology licensed under LSBEP who meets all requirements as determined by the Board, selected from a list of self-nominations submitted to the board;

3. one member that is either a licensed school psychologist licensed under the LSBEP or a licensed specialist in school psychology licensed under LSBEP who meets all requirements as determined by the Board, selected from a list of self-nominations submitted to the board; and

4. the board’s executive director as the ex-officio, non-voting member.

C. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353 and 37:2357.

HISTORICAL NOTE: Promulgated by Health and Hospitals, Board of Examiners of Psychologists, LR 41:2621 (December 2015), amended LR 51:

Chapter 33. Definition of Applicant Application for Licensure as a Specialist in School Psychology

§3300. Application Requirements; Applicant Status; Initial Licensure

A. Applicant status shall not be used for professional representation

B. All Applicants applying under the provisions of this Section shall submit to the board the required application fee and the complete prescribed application which includes evidence that the person:

1. is at least 21 years of age;
2. is of good moral character;

3. is a citizen of the United States or has declared his intention to become a citizen. A statement by the person under oath that he is a citizen or that he intends to apply for citizenship when he becomes eligible to make such application shall be sufficient proof of compliance with the requirement of this Paragraph;

4. holds a graduate degree or specialist degree from a National Association of School Psychologists (NASP) approved or accredited program, or an equivalent certificate from a university offering a full-time graduate course of study in school psychology defined in Chapter 34 of this Subpart;

5. demonstrates professional knowledge of the laws and rules regarding the practice of psychology in Louisiana by passing the Louisiana Jurisprudence Examination prior to the issuance of a Louisiana license;

6. completes a criminal background check as prescribed by the board, including submitting such number of full sets of fingerprints or other identifiable information, and payment of any fees and costs as may be incurred by the board in requesting or obtaining criminal history record information as authorized by R.S. 37:2372.1. The results of the criminal history record information search must be obtained, reviewed and considered acceptable by the board prior to licensure;

7. is not in violation of any of the provisions of this Chapter or the rules and regulations adopted by the board; does not have any pending complaints; is not the subject of a current investigation; does not have current or prior disciplinary action by a professional board, certifying agency, Board of Education, Department of Education, or LEA; and has not been found guilty of or settled a claim for malpractice or negligence when the subject matter of such is related in any way to the practice of school psychology.

C. The board may, at its discretion, require a meeting with the applicant to review and verify his/her satisfactory character, current fitness, plans to practice, and specialty declaration prior to the issuance or denial of a license pursuant to this Chapter or any of the laws, rules or regulations governing the practice of a specialist in school psychology.

D. In addition to satisfying the requirements set forth in Part B of this Section, an applicant shall qualify for licensure as a Specialist in School Psychology under one of the following provisions:

1. Full Application. A New Applicant shall provide proof of one of the following:

a. holds a current National Certification in School Psychology issued by the National School Psychology Association; or,

b. has successfully completed the following:

i. an acceptable internship of at least 1200 hours and nine months in duration, conducted under the supervision of a certified school psychologist in a school setting or by a licensed psychologist in a community setting. Of the 1200 hours, 600 hours shall be completed in a school setting;

ii. three years of supervised experience as a certified school psychologist within the public school system. One year of full-time employment or experience, obtained as part of an acceptable internship as defined by the

board under §3403 of this Title, may be applied toward the three years of required supervision. Such experience must be obtained within one academic year, in a public school system; and., Such “academic year” shall be defined by the school calendar in the district of practice; and

iii. passing scores on the nationally certified school psychologist examination.

2. Legacy Application. A Legacy Applicant shall provide proof of the following:

a. held an ancillary certificate in school psychology or as a “certified school psychologist” from the Louisiana Department of Education as a “certified school psychologist” between the period July 1, 2015 to June 30, 2025; and

b. was employed between the period of July 1, 2015 to June 30, 2025 by a Local Educational Agency (LEA) under the jurisdiction of the Louisiana Board of Education/Department of Education.

3. Reciprocity Applications. A Reciprocity Applicant shall provide proof of either:

a. Interjurisdictional License

i. A reciprocity applicant shall provide proof of current licensure, in good standing as a Specialist in School Psychology by another member jurisdiction of the Association of State and Provincial Psychology Boards (ASPPB) for five years.

b. licensure by endorsement pursuant to the Welcome Home Act

i. A Reciprocity Applicant who is relocating to and will reside in Louisiana, shall provide proof that the applicant meets the requirements set forth in La. R.S. 37:51 et. seq., the Welcome Home Act, which requirements include, but are not limited to, current licensure or certification, in good standing, as a Specialist in School Psychology or as a certified school psychologist by another member jurisdiction of the Association of State and Provincial Psychology Boards (ASPPB) for one year and proof of residency in Louisiana.

4. Military Application. A Military Applicant shall be:

a. considered for a Temporary Registration pursuant to the provisions of Section 1003. Military Applicants, of Subpart 1 of Part LXIII. Psychologists;

b. evaluated for full licensure and processed in accordance with applicable sections of R.S. 37:3651.

E. An applicant who is denied licensure by the board based on the evidence submitted as required under this Chapter may reapply to the board after two years have elapsed, and having completed additional training meeting the requirements of the law and as defined in the rules and regulations adopted by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353, 37:2354 and 37:2356.4.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 51:

§3301. Definition

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41:2621 (December 2015), amended by the Department of Health, Board of Examiners of Psychologists, LR 43:1174 (June 2017), repealed LR 51:

Family Impact Statement

The Board of Examiners of Psychologists hereby issues this Family Impact Statement as set forth in R.S. 49:972. Because the proposed Rule is related to reciprocal and endorsement licensing for Licensed Specialist in School Psychology, creating opportunities to increase workforce and access to care by underserved populations, it is therefore The proposed Rules may positively impact the facilitation of qualified professionals who work with families and families of school aged children, therefore having a positive impact on the stability of the family functioning of the family; behavior and personal responsibility of children as it relates to promptly facilitating the licensure of qualified professionals who may work with families and families of school aged children to promote their health, education and well-being; this Rule will not impact family earnings and family budget; the ability of the family or a local government to perform their functions; nor will it impact the authority or rights of parents regarding the education and supervision of their children.

Poverty Impact Statement

The proposed modifications impact specialist in school psychology in the interest of the health, safety and the welfare of the public. The Rules do not have any known or foreseeable negative impact on any child, individual or family as defined by R.S. 49:973.B as it is related to asset development. Specifically, there is no known or foreseeable direct effect on: household income, assets, and financial security; early childhood development and preschool through postsecondary education development; employment and workforce development; taxes and tax credits; or, child and dependent care, housing, health care, nutrition, transportation, and utilities assistance. However, increased access to qualified mental health care could positively impact early childhood development and mitigate future expenses to families and children who do not otherwise have access to services.

Small Business Analysis

The impact of the proposed rule on small businesses as defined in The Regulatory Flexibility Act has been considered. This proposed Rule is not anticipated to have an adverse impact on small businesses.

Provider Impact Statement

The proposed Rule changes will impact only applicants for Licensed Specialist in School Psychology and licensees volunteering to serve on the LSSP Advisory Committee to the board which makes licensing recommendations related to specialists in school psychology. The proposed Rules align with statewide, and most nationally accepted standards for healthcare professions by requiring minimum standards, including criminal background checks, on individuals prior to the issuance of a license to practice independently in the state of Louisiana.

Public Comments

Interested persons may submit written comments to Jaime T. Monic, Executive Director, 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, LA 70816. All comments must be submitted by 12 p.m. on February 10, 2025.

Jaime T. Monic
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Applications for Licensed Specialist in School Psychology LSSP Committee Composition

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will incur a one-time publication expense, of approximately \$500 for the Louisiana State Board of Examiners of Psychologists (LSBEP) in FY 25. No additional implementation costs are anticipated for other state or local governmental units.

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

The proposed rule change may increase revenue collections for the LSBEP by reducing barriers for qualified individuals seeking to obtain their Licensed Specialist in School Psychology (LSSP) credentials in Louisiana, potentially increasing the number of applicants. Currently, LSSP applicants pay a one-time application fee of \$200 and an annual renewal fee of \$100, which will remain unchanged. However, the overall financial impact is indeterminable, as it depends on the number of individuals from other jurisdictions who choose to practice in Louisiana.

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

It is anticipated and intended that the proposed rule change will positively impact individuals qualifying for one of the new licensing application processes created for LSSPs through legacy, reciprocity, endorsement, and military licensing provisions. These processes will provide expedited pathways to licensure for individuals currently licensed in other jurisdictions within the United States, individuals working in other states who are moving back to Louisiana and seeking licensure under the Welcome Home Act of the 2024 Regular Session, active-duty military members and their dependents, as well as individuals holding certification as certified school psychologists. These provisions will enable certified school psychologists to obtain a license for independent practice as an LSSP, thereby expanding employment and work opportunities for those individuals.

The proposed rule change will have the potential to address mental health care needs in Louisiana by increasing the number of professionals qualified to provide reimbursable psychological services to and through universities, school districts, local educational agencies, charter schools, and other organizations or governmental entities within educational systems. Additionally, the proposed amendment will enhance the inclusiveness of LSSPs on the LSSP Advisory Committee to the LSBEP by increasing the number of available LSSP positions from one to two.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is anticipated to have a positive impact on increasing employment and growth within the profession of psychology as the proposed rule is written specifically to decrease barriers to licensure and increase access to psychological services offered by an LSSP.

Jamie T. Monic
Executive Director
2501#046

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Board of Pharmacy

Marijuana Pharmacy
(LAC 46:LIII.Chapter 24)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy hereby gives notice of its intent to repeal Chapter 24, Subchapter E of its rules relative to Marijuana Pharmacy, pursuant to Act 693 of the 2024 Regular Session of the Legislature which transfers regulatory authority for therapeutic marijuana from the Board of Pharmacy to the Louisiana Department of Health.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LIII. Pharmacists

Chapter 24. Limited Service Providers

Subchapter E. Marijuana Pharmacy

§2441. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1538 (August 2017), amended LR 45:1473 (October 2019), LR 46:1227 (September 2020), amended LR 49:1719 (October 2023), repealed LR 51:

§2443. Marijuana Products

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1540 (August 2017), amended LR 45:1473 (October 2019), amended LR 46:568 (April 2020), LR 46:1227 (September 2020), LR 47:590 (May 2021), LR 48:1902 (July 2022), amended LR 49:1719 (October 2023), repealed LR 51:

§2445. Marijuana Pharmacy Permit

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1543 (August 2017), amended LR 49:1720 (October 2023), repealed LR

§2447. Licensing Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1544 (August 2017), amended LR 46:577 (April 2020), LR 48:2102 (August 2022), amended LR 49:1720 (October 2023), repealed LR 51:

§2451. Operation of Marijuana Pharmacy

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1547 (August 2017), amended LR 46:1227 (September 2020), amended LR 47:590 (May 2021), LR 48:2103 (August 2022), amended LR 49:1720 (October 2023), repealed LR 51:

§2455. Reportable Security Events

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1550 (August 2017), amended LR 49:1721 (October 2023), repealed LR 51:

§2457. Standards of Practice

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1550 (August 2017), amended LR 45:1473 (October 2019), LR 47:246 (February 2021), LR 47:1111 (August 2021), LR 48:1903 (July 2022), LR 48:2103 (August 2022), amended LR 49:1721 (October 2023), repealed LR 51:

Family Impact Statement

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a family impact statement on the Rule proposed for adoption, repeal, or amendment. The following statements will be published in the *Louisiana Register* with the proposed agency Rule.

1. The Effect on the Stability of the Family. The proposed repeal of rules will have no effect on the stability of the family.

2. The Effect on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed repeal of rules will have no effect on the authority and rights of parents regarding the education and supervision of their children.

3. The Effect on the Functioning of the Family. The proposed repeal of rules will have no effect on the functioning of the family.

4. The Effect on Family Earnings and Family Budget. The proposed repeal of rules will have no effect on family earnings and family budget.

5. The Effect on the Behavior and Personal Responsibility of Children. The proposed repeal of rules will have no effect on the behavior and personal responsibility of children.

6. The Ability of the Family or a Local Government to Perform the Function as Contained in the Proposed Rule. The proposed repeal of rules will have no effect on the ability of the family or a local government to perform the activity as contained in the proposed repeal of rules.

Poverty Impact Statement

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a poverty impact statement on the Rule proposed for adoption, repeal, or amendment.

1. The Effect on Household Income, Assets, and Financial Security. The proposed repeal of rules will have no effect on household income, assets, or financial security.

2. The Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed repeal of rules will have no effect on early childhood development or preschool through postsecondary education development.

3. The Effect on Employment and Workforce Development. The proposed repeal of rules will have no effect on employment and workforce development.

4. The Effect on Taxes and Tax Credits. The proposed repeal of rules will have no effect on taxes or tax credits.

5. The Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation, and Utilities Assistance. The proposed repeal of rules will have no effect on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

Small Business Analysis

In accordance with Section 965 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, each of the following methods of reducing the impact of the proposed Rule on small businesses:

1. The Establishment of Less Stringent Compliance or Reporting Requirements for Small Businesses. The proposed repeal of rules will have no effect on reporting requirements for small business.

2. The Establishment of Less Stringent Schedules or Deadlines for Compliance or Reporting Requirements for Small Businesses. The proposed repeal of rules will have no effect on schedules or deadlines for compliance or reporting requirements for small business.

3. The Consolidation or Simplification of Compliance or Reporting Requirements for Small Businesses. The proposed repeal of rules will have no effect on consolidation or simplification of compliance or reporting requirements for small business.

4. The Establishment of Performance Standards for Small Businesses to Replace Design or Operational Standards Required in the Proposed Rule. The proposed repeal of rules will have no effect on establishment of performance standards for small businesses to replace design or operational standards for small business.

5. The Exemption of Small Businesses from All or Any Part of the Requirements Contained in the Proposed Rule. There are no exemptions for small businesses in the proposed repeal of rules.

Provider Impact Statement

In accordance with House Concurrent Resolution No. 170 of the Regular Session of the 2014 Legislature, there is hereby submitted a provider impact statement on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, the following effects on the providers of services to individuals with developmental disabilities:

The effect on the staffing level requirements or qualifications required to provide the same level of service. The proposed repeal of rules will have no effect on the staffing level requirements or qualifications required to provide the same level of service.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed repeal of rules will have no impact on the cost to the provider to provide the same level of service.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of service. The proposed repeal of rules will have no effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, via United States Postal Service or other carrier, or in the alternative by personal delivery to M. Joseph Fontenot Jr.,

Executive Director, at the office of the Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, LA 70809-1700. He is responsible for responding to inquiries regarding the proposed repeal of rules. The deadline for the receipt of all written comments is 12 p.m. on Wednesday, February 26, 2025.

Public Hearing

A public hearing to solicit comments and testimony on the proposed repeal of rules is scheduled for 9 a.m. on Wednesday, February 26, 2025 at the board office. During the hearing, all interested persons will be afforded an opportunity to submit comments and testimony, either verbally or in writing. The deadline for the receipt of all comments and testimony is 12 p.m. that same day. To request reasonable accommodations for persons with disabilities, please call the board office at 225.925.6496.

M. Joseph Fontenot Jr.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Marijuana Pharmacy

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed repeal of marijuana pharmacy regulations by the Louisiana Board of Pharmacy is anticipated to incur a one-time implementation cost of approximately \$1,500 in FY 2025 for the publication of the notice and rule changes in the Louisiana Register, funded through the Board's self-generated funds. Following this transition, the Board will no longer incur recurring costs associated with inspecting 23 marijuana pharmacies, which average \$225 per pharmacy annually, totaling \$5,175. These avoided costs will represent potential savings, though any direct financial impact will be offset by the corresponding loss of revenue from licensing fees, which currently generate \$5,750 annually from the 23 pharmacies. Overall, the cost impact to state agencies is expected to be minimal as the regulatory responsibilities shift to the Department of Health.

The proposed repeal of Chapter 24, Subchapter E of the Board of Pharmacy's rules relative to Marijuana Pharmacy is pursuant to Act 693 of the 2024 Regular Session of the Legislature which transfers regulatory authority for therapeutic medical marijuana to the Louisiana Department of Health.

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

The proposed repeal of the marijuana pharmacy regulations will transfer regulatory authority from the Board of Pharmacy to the Louisiana Department of Health, effectively ending the Board's jurisdiction. Currently, the Board oversees 23 marijuana pharmacies, each paying an annual total of \$250 in fees, generating \$5,750 in revenue. These funds are offset by inspection costs, with each inspection requiring 3 hours of a compliance officer's time at \$75 per hour (including benefits), totaling \$225 per inspection plus travel. The overall revenue impact to the state is expected to be minimal as the regulatory responsibilities shift to the Louisiana Department of Health.

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

There are no anticipated economic benefits or losses resulting from the proposed rule.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment.

M. Joseph Fontenot, Jr.
Executive Director
2501#042

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Board of Pharmacy

Pharmacist-in-Charge (PIC) Requirements (LAC 46:LIII.1105)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy hereby gives notice of its intent to amend §1105 of its rules relative to Pharmacist-in-Charge (PIC). The proposed Rule change in §1105.A. reduces the minimum experience requirement for a pharmacist to qualify for a PIC privilege from two years of active pharmacy practice to one year. The proposed Rule change in §1105.C. adds the authority and accountability of the owner of the pharmacy permit to the existing responsibility of the PIC for the complete supervision, management, and compliance with laws and regulations pertaining to the practice of pharmacy of the entire prescription department.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LIII. Pharmacists

Chapter 11. Pharmacies

Subchapter A. General Requirements

§1105. Pharmacist-in-Charge

A. The opportunity to accept an appointment as the pharmacist-in-charge (PIC) of a pharmacy is a professional privilege. The following requirements are attached to a PIC privilege.

1. The acquisition of the PIC privilege shall require:

a. ...

b. active pharmacy practice for a minimum of one year under the jurisdiction of any board of pharmacy in the United States; and

c. ...

A.2. - B. ...

C. Authority and Accountability. The pharmacist-in-charge and the owner of the pharmacy permit shall be responsible for the complete supervision, management, and compliance with all federal and state pharmacy laws and regulations pertaining to the practice of pharmacy of the entire prescription department. This responsibility necessarily includes accountability for any violation involving federal or state laws or regulations occurring within the prescription department supervised by a pharmacist-in-charge.

D. - K. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1310 (October 1997), amended LR 29:2088 (October 2003), effective January 1,

2004, LR 38:1239 (May 2012), amended by Department of Health, Board of Pharmacy, LR 46:579 (April 2020), LR 47:1643 (November 2021), amended LR 51:

Family Impact Statement

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a family impact statement on the Rule proposed for adoption, repeal, or amendment. The following statements will be published in the *Louisiana Register* with the proposed agency Rule.

1. The Effect on the Stability of the Family. The proposed Rule amendment will have no effect on the stability of the family.

2. The Effect on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed Rule amendment will have no effect on the authority and rights of parents regarding the education and supervision of their children.

3. The Effect on the Functioning of the Family. The proposed Rule amendment will have no effect on the functioning of the family.

4. The Effect on Family Earnings and Family Budget. The proposed Rule amendment will have no effect on family earnings and family budget.

5. The Effect on the Behavior and Personal Responsibility of Children. The proposed Rule amendment will have no effect on the behavior and personal responsibility of children.

6. The Ability of the Family or a Local Government to Perform the Function as Contained in the Proposed Rule. The proposed Rule amendment will have no effect on the ability of the family or a local government to perform the activity as contained in the proposed Rule.

Poverty Impact Statement

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a poverty impact statement on the Rule proposed for adoption, repeal, or amendment.

1. The Effect on Household Income, Assets, and Financial Security. The proposed Rule amendment will have no effect on household income, assets, or financial security.

2. The Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed Rule amendment will have no effect on early childhood development or preschool through postsecondary education development.

3. The Effect on Employment and Workforce Development. The proposed Rule amendment will allow pharmacists with one year of experience to qualify for a Pharmacist-in-Charge (PIC) position, replacing the current requirement of two years of experience. These changes will benefit pharmacies by expanding the pool of eligible pharmacists for PIC credentials. The proposed Rule amendment will have no effect on workforce development.

4. The Effect on Taxes and Tax Credits. The proposed Rule amendment will have no effect on taxes or tax credits.

5. The Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation, and Utilities Assistance. The proposed Rule amendment will have no effect on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

Small Business Analysis

In accordance with Section 965 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, each of the following methods of reducing the impact of the proposed Rule on small businesses:

1. The Establishment of Less Stringent Compliance or Reporting Requirements for Small Businesses. The proposed Rule amendment will have no effect on reporting requirements for small business.

2. The Establishment of Less Stringent Schedules or Deadlines for Compliance or Reporting Requirements for Small Businesses. The proposed Rule amendment will have no effect on schedules or deadlines for compliance or reporting requirements for small business.

3. The Consolidation or Simplification of Compliance or Reporting Requirements for Small Businesses. The proposed Rule amendment will have no effect on consolidation or simplification of compliance or reporting requirements for small business.

4. The Establishment of Performance Standards for Small Businesses to Replace Design or Operational Standards Required in the Proposed Rule. The proposed Rule amendment will have no effect on establishment of performance standards for small businesses to replace design or operational standards for small business.

5. The Exemption of Small Businesses from All or Any Part of the Requirements Contained in the Proposed Rule. There are no exemptions for small businesses in the proposed Rule amendment.

Provider Impact Statement

In accordance with House Concurrent Resolution No. 170 of the Regular Session of the 2014 Legislature, there is hereby submitted a provider impact statement on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, the following effects on the providers of services to individuals with developmental disabilities:

The effect on the staffing level requirements or qualifications required to provide the same level of service. The proposed Rule amendment will have no effect on the staffing level requirements required to provide the same level of service. The proposed Rule amendment will decrease the minimum experience required for a pharmacist to qualify for a PIC privilege.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed Rule amendment will have no impact on the cost to the provider to provide the same level of service.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of service. The proposed Rule amendment will allow the provider to provide the same level of service with a PIC with a minimum of one year of experience as a pharmacist instead of a minimum of two years.

Public Comments

Interested persons may submit written comments, via United States Postal Service or other carrier, or in the alternative by personal delivery to M. Joseph Fontenot Jr., Executive Director, at the office of the Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, LA 70809-1700. He is responsible for responding to inquiries regarding the proposed Rule amendment. The deadline for the receipt of all written comments is 12 p.m. on Wednesday, February 26, 2025.

Public Hearing

A public hearing to solicit comments and testimony on the proposed Rule changes is scheduled for 9 a.m. on Wednesday, February 26, 2025 at the board office. During the hearing, all interested persons will be afforded an opportunity to submit comments and testimony, either verbally or in writing. The deadline for the receipt of all comments and testimony is 12 p.m. that same day. To request reasonable accommodations for persons with disabilities, please call the board office at 225.925.6496.

M. Joseph Fontenot Jr.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Pharmacist-in-Charge (PIC) Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The estimated implementation costs for the Louisiana Board of Pharmacy are approximately \$1,500 in FY 25 for the notice and rule publication in the Louisiana Register. There are no other estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule changes.

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

The proposed rule changes are not anticipated to impact the revenue collections of state or local governmental units.

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

There are no anticipated economic losses resulting from these proposed rule changes. These changes will benefit pharmacies by expanding the eligibility for pharmacists to obtain a Pharmacist-in-Charge (PIC) credential. Under these changes, pharmacists with one year of experience will be eligible to serve as PIC, rather than the current requirement of two years of experience.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will allow pharmacists with one year of experience to qualify for a Pharmacist-in-Charge (PIC) position, replacing the current requirement of two years of experience. These changes will benefit pharmacies by expanding the pool of eligible pharmacists for PIC credentials. Additionally, no impact on competition is anticipated.

M. Joseph Fontenot, Jr.
Executive Director
2501#041

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Board of Social Work Examiners

Credentials of Social Work Examiners
(LAC 46:XXV Chapters 1, 3, 5, 7, 9, 10, 11, and 13)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Board of Social Work Examiners (“Social Work Board”) proposes to amend LAC 46: XXV. Chapters 1, 3, 5 and 7 and to enact LAC 46: XXV Chapters 10, 11 and 13.

Section 101 provides the scope and applicability of the rules. Section 111 is amended to clarify that the informed consent to provide services must be documented, to clarify that a social worker is from accessing records of any individual they are not treating without a legitimate purpose and to clarify the requirement that social workers supervising students must indicate their supervisory function when cosigning records. Section 113 is amended to clarify social work relationships. Section 125 is being enacted to adopt standards of practice specific to social work educators.

Section 301 is amended to add definitions for Part XXV. Section 305 is amended to provide qualifications for certification and licensure. Section 307 is amended to provide early testing. Section 309 is amended to be consistent with Act 215 (2021). Section 311 is amended to require licensed clinical social workers to list all master’s social workers and certified social workers that are under their supervision on their renewal form for licensure requirements.

Section 313 increases license renewal fees for LCSWs, CSWs, LMSWs, and RSWs, fees for late renewals and for written verification of licenses, certificates, and registrations, removes the fee for reissuing lost or duplicate identification card and postage for shipping and handling for mailing lists now sent electronically, and includes the current e-commerce fee in the rule. Section 317 regarding continuing education requirements is redesignated as Chapter 13. Continuing Education.

Section 319 is amended to be consistent with reciprocity requirements in R.S. 37:2712 as amended by Act 215 (2021). Section 325 enacts inactive status requested by social workers to take time away from active practice. During inactive status a social worker will be required to complete 10 hours of continuing education annually. Section 327 enacts emeritus status requested by social workers who have retired but desire to maintain a license to perform community service. Emeritus status requires 10 hours of continuing education annually and payment of one-half of the annual license renewal fee.

Section 503 is amended to be consistent with R.S. 37:2708(A)(3) as amended by Act 215 (2021). Section 505 is amended to make technical changes. Section 509 is enacted to promulgate rules and procedures regarding telesupervision as required by Act 457 (2024).

Chapter 7 is amended to rename the Impaired Professional Program the Recovering Professional Program, to authorize the administrator to refer a licensee to the program, and to revise program requirements.

Chapter 9, entitled Procedural Rules, is being repealed.

Chapter 10, entitled Procedural Rules for Disciplinary Hearing, is being adopted.

Chapter 11 is enacted to provide procedures for compliance hearings, declaratory orders, and hearings on matters other than disciplinary matters.

Chapter 13 is enacted to revise continuing education requirements. Section 1311 is enacted to change the collection period for continuing education hours and to authorize up to ten hours of continuing education to carry over to the next collection period. Section 1313 is enacted to authorize up to 10 hours of asynchronous distance or virtual learning or teaching and clarifies that synchronous, interactive webinars are in-person hours. Section 1315 is enacted to pro-rate the number of required continuing education hours for the initial year of a credential.

Title 46

Professional and Occupational Standards

Part XXV. Credentialed Social Workers

Chapter 1. Standards of Practice

§101. Scope and Applicability

A. The standards of practice apply to all social workers, as that term is defined in R.S. 37:2703. The use of the term social worker within these standards of practice includes all applicants and those who are registered, certified or licensed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Worker Examiners, LR 26:295 (February 2000), amended by the Department of Health, Board of Social Work Examiners, LR 51:

§111. Practice Requirements

A. - E. ...

F. Informed Consent

1. Social workers shall provide services to clients only in the context of a professional relationship with documented informed consent. Social workers should use clear and understandable language to inform clients of the plan for services, relevant costs, reasonable alternatives, the client’s right to refuse or withdraw consent, and the time frame covered by the consent. Social workers shall provide clients with an opportunity to ask questions.

2. - 3. ...

G. Records

1.-3. ...

4. Social workers supervising students in field placement must indicate their supervisory function when cosigning records.

5. A social worker shall accurately complete and provide testimony, reports, assessments, evaluations, forms, or similar documentation in a timely manner. This includes all forms requested by the Louisiana State Board of Social Work Examiners.

6. ...

7. A social worker shall not access records of an individual they are not treating without legitimate purpose.

H. - H. 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Worker Examiners, LR 26:295 (February 2000), amended LR 37:2615 (September 2011), amended by the Department of Health, Board of Social Worker Examiners, amended by the Department of Health, Board

of Social Work Examiners, LR 43:959 (May 2017), amended LR 51:

§113. Social Work Relationships

A. Exploitation. A social worker's duty requires the promotion and advancement of the best interests and welfare of clients, students, and supervisees with whom the social worker has a professional social work relationship when the social worker's primary purpose is the provision of social work services. This duty also applies to social workers engaged in all areas of social work practice. It is a breach of this duty for a social worker to use the professional relationship to promote or advance the social worker's emotional, financial, sexual, or personal needs, or the social worker's personal, political, or religious agenda. Examples of exploitative behavior may include, but are not limited to, the following:

A.1. - A.7 ...

B. Dual Relationships. Social workers have an affirmative duty to maintain the best interest of clients and former clients as the predominant consideration during the existence of the social worker/client relationship and thereafter. While clients and former clients with whom the social worker has or had a clinical/therapeutic relationship are at greater risk, any relationship with a client or a former client exposes clients and former clients to the risk of exploitation. Social workers shall be aware, even in those instances where other relationships are not specifically prohibited, that the social worker by promoting, encouraging, or participating in any relationship with a client or former client runs a risk of exploitation. Dual or multiple relationships occur when social workers relate to clients in more than one relationship, whether professional, social, or business. Dual or multiple relationships can occur simultaneously or consecutively. A social worker shall not knowingly engage in dual relationships with clients or former clients that compromise the well-being of the client or former client, impair the objectivity and professional judgment of the social worker, or increase the risk of client exploitation. When social workers provide services to two or more people simultaneously who have a relationship with each other (for example, couples or family members), social workers shall clarify with all parties which individual(s) are considered client(s) and the nature of the social worker's professional obligations to the various individuals who are receiving services. Social workers shall avoid multiple relationships with clients, (such as that of a therapist and custody evaluator, mediator, and parenting coordinator, etc.). Social workers who anticipate a conflict of interest among the individuals receiving services or who anticipate having to perform in potentially conflicting roles (for example, when a social worker is asked to testify in a child custody dispute or divorce proceedings involving clients) shall clarify their role with the parties involved and take appropriate action to minimize any conflict of interest.

1. Personal Relationships with Clinical/Therapeutic Clients. A social worker shall not engage in a personal relationship with a clinical/therapeutic client. When a social worker may not avoid a personal relationship with a clinical/therapeutic client, the social worker shall take necessary protective measures consistent with the best interests of the clinical/therapeutic client such as informed

consent, consultation, or supervision to ensure that the social worker's objectivity and professional judgment are not impaired.

2. Personal Relationships with Former Clinical/Therapeutic Clients. A social worker may engage in a personal relationship, except as prohibited by §113.B.4., with a former clinical/therapeutic client, if the former clinical/therapeutic client was notified of the termination of the professional relationship. The social worker shall continue to consider the best interests of the former client and shall not engage in a personal relationship with the former client if a reasonable social worker would conclude that the former client continues to relate to the social worker in the social worker's professional capacity.

B.3. - B.9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board Certified Social Work Examiners, LR 26:297 (February 2000), amended LR 29:2381 (November 2003), LR 34:246 (February 2008), amended by the Department of Health, Board of Social Work Examiners LR 43:959 (May 2017), amended LR 51:

§117. Conduct

A. - D. ...

E. A social worker shall notify the Louisiana State Board of Social Work Examiners within 30 calendar days of any arrests or charges, to include DWI and DUI, regardless of final disposition. Minor traffic offenses such as speeding, and parking tickets do not need to be reported.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:299 (February 2000), amended LR 29:2382 (November 2003), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40: 304 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 50:1648 (November 2024), amended LR 51:

§125. Social Work Educators

A. A social work educator's purpose is to educate social work students by various means in person or remotely including but not limited to classwork, lectures, field work, and mentorship.

B. Social work educators shall provide instruction only within their areas of knowledge and competence and shall be knowledgeable about current best practices.

C. The relationship of a social work educator to their students is comparable to that of a social worker to their client. Social workers who function as educators should not engage in dual relationships with students in which there is a risk of exploitation or potential harm to the student, including dual relationships that may arise while using social networking sites or other electronic media. Social work educators are responsible for establishing and maintaining clear, appropriate, and culturally sensitive boundaries.

D. A social work educator is afforded vast discretion in making academic, pedagogical, and administrative decisions. The board may not discipline a social work educator for an act or omission that falls within the purview of that discretion unless the act or omission involves conduct prohibited by subsections B and C of this Rule. The purview

of this discretion includes without limitation, graded assignments, student discipline, curriculum development, pedagogical methods, and departmental and institutional matters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

Chapter 3. General Provisions

§301. Definitions

A. For purposes of this Part, the following terms shall have the following meanings:

Adjudicative Hearing—a hearing whereby the merits of an administrative complaint are tried before a quorum of the Board for final disposition.

Administrative Complaint—the formal charging document prepared by the Prosecuting Officer and filed with the Board as the basis for a disciplinary adjudication.

Administrator—the Board Administrator or their successor, provided that the Administrator may delegate any of their duties under this Chapter to their subordinate employees unless strictly prohibited.

Applicant—any person who has submitted an application to the Board for any credential recognized by the Practice Act.

Chairperson or Chair—the chair of the board.

Client—any person or group of persons who seek or receive social work services, including all persons or groups of persons to whom a social worker owes a professional duty of care and ethical practice. The term client is intended to have the broadest possible meaning and may include individuals, couples, families, groups, organizations, communities, and systems.

Complainant—the person submitting a complaint to the Board.

Compliance Hearing—a hearing conducted before a limited panel that provides a forum for an applicant denied a credential or a licensee denied renewal of a credential to present documentary evidence and sworn testimony to establish that the applicant or licensee meets the legal requirements for the credential or renewal thereof.

Consent Discipline—any final order of disciplinary sanctions agreed upon by the prosecuting officer and the respondent, whereby the respondent admits to some or all of the conduct alleged against them and accepts disciplinary sanctions in lieu of an adjudicative hearing.

En Banc Panel—a panel composed of the entire Board.

General Counsel—the attorney licensed to practice law in Louisiana independently retained by the Board for the purpose of advising and representing the Board in legal matters.

Hearing Panel—the five- or three-person panel of Board members appointed to render a decision at an adjudicative hearing or compliance hearing, as the case may be.

Standard Panel—a five-person hearing panel.

Limited Panel—a three-person hearing panel.

Interlocutory—any decision on a matter that does not resolve the merits of a complaint, such as rulings on the admissibility of evidence.

Licensee—any person holding any credential authorized by the Practice Act.

Person—a natural or juridical person, including human beings, business entities, governmental agencies, or any other organization deemed a person by Louisiana Civil Code article 24.

Practice Act—the Social Work Practice Act, La. R.S. 37:2701 et seq.

Prosecuting Officer—the licensed attorney or authority appointed by the Board or the Practice Act to prosecute complaints.

Provisional Dismissal—an order of dismissal that requires Board action before the dismissal can become final.

Respondent—the applicant or licensee made the subject of a complaint filed with the Board.

Social Work Educator—an individual employed by or in contract with an educational institution's Social Work program for the purpose of educating social work students and who holds a registration, certification, or license in the field of social work.

Social Work Services—those actions or undertakings rendered to a client that constitute "social work practice" as that term is defined by R.S. 37:2703.

B. If a term is defined differently in another Chapter of this Part, that definition shall apply only for the purposes of the Chapter in which it appears. Otherwise, the definitions contained in this Section shall apply generally to this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:300 (February 2000), amended LR 34:247 (February 2008), LR 37:2616, (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), LR 51:

§305. Qualifications for Registration, Certification, Licensure

A. - B.3. ...

C. Certified Social Worker (CSW)

1. The board may issue certification to an applicant who meets all requirements for the LMSW except for passing the examination approved by the board.

2. The individual may hold the certification for up to three years from the date of issuance of the original certificate.

3. The CSW who does not pass the examination for the LMSW within three years from the date of issuance of the original certification may apply for the registered social work credential.

4. - 5. Repealed.

D. Licensed Clinical Social Worker (LCSW)

1. - 2. ...

3. All applicants beginning supervision on or after January 1, 2022, shall submit documentation verifying at least 3000 hours of supervised postgraduate social work practice that complies with R.S. 37:2708(A)(3) on a form provided by the board. Applicants beginning supervision before January 1, 2022, shall comply with the version of this Part and R.S. 37:2708 in effect at the time their supervision began.

4. Repealed.

D.5 - E.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:301 (February 2000), amended LR 29:2383 (November 2003), LR 34:1401 (July 2008), LR 37:2616 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:304 (February 2014), LR 51:

§307. Administration of Examination

A. - D.2....

E. Early Testing. The board may allow candidates to test early in accordance with the policy set forth by the Association of Social Work Boards.

1. Students in their final semester of a graduate social work program as defined by R.S. 37:2703.10. may request on a form prescribed by the board and signed by the program dean, director, or another designee, approval to sit for the examination recognized by the board for obtaining the LMSW credential. All requirements of the application, other than the official master's transcript, must be complete for exam approval to be considered by the board. The applicant shall make a request to the university to submit the transcript showing the conferred Master of Social Work degree directly to the board office within 15 days of its availability.

2. LMSWs in their final six months of supervision in accordance with §503 may request on a form prescribed by the board and signed by their board approved clinical supervisor, approval to sit for the examination recognized by the board for obtaining the LCSW credential. Applicants must have at least 75 hours of supervision and must complete all requirements of the LCSW application, other than the final supervision forms, for exam approval to be considered by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:302 (February 2000), repromulgated LR 29:2383, (November 2003), amended LR 37:2616 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:304 (February 2014), LR 51:

§309. Application Procedure

A. Applications are to be completed electronically as provided by the board.

B. - C. ...

D. Applications and other required documentation must be received in the board office at least seven days prior to the board's meeting to be eligible for consideration.

E. The board shall refuse to consider any application not complete in every detail, including submission of every document required by the application form. At the board's

discretion a more detailed or complete response to any request for information set forth on the application form may be required. Incomplete applications will not be considered submitted under R.S. 37:2709(B).

F. ...

G. Applicants are responsible for submitting all documentation required by R.S. 37:2706, 37:2707, 37:2708, or 37:2724, and by §305 concurrently with submission of their application to the board. The board may provide forms for submission of this information.

H. - K. Repealed.

L. ...

M. Repealed.

N. ...

O. Initial social work credentials issued during the three months prior to the renewal deadline (i.e. June, July, and August) will not be required to renew for the next fiscal year.

P. Procedure for Social Workers with Felony Convictions

1. It is the applicant's responsibility to submit documentation to the board sufficient to establish that the applicant meets the criteria of R.S. 37:2950.

2. The applicant shall collect and deliver the following documents to the board office concurrently with submission of their application:

a. ...

b. Repealed.

c. - e.

f. if the sentence included any form of imprisonment, residence at a half-way house, other forms of correctional and/or treatment facilities, the applicant must provide the complete address, names and current addresses of any persons having information relating to the satisfactory completion of any such prison term, residence or treatment, and any related documents. In the event that medical, psychiatric, psychological, substance or alcohol abuse evaluation, treatment and rehabilitation was in any way part of the sentence or a term or condition of probation, the applicant will execute any releases which may be required for the board to obtain information. Such information obtained will be maintained by the board on a confidential basis;

g. - h. ...

i. true copies of any licenses, certificates to practice or similar documents issued by any board or licensing authority of any other state or the state of Louisiana obtained by the applicant since the date of the felony conviction and a complete listing of any college, graduate school, trade or business school and employers to whom he or she has made application since the date of the felony conviction. This includes any applications which were denied for any reason, including the felony conviction. Providing any false or misleading information, being evasive, concealing or making material omissions, or failing to cooperate shall form a basis for the denial of the application.

3. - 3.d.Repealed.

Q. - R.1.c ...

d. Repealed.

e. ...

2 - 2.d. Repealed.

3. - 3.b....

c. the completion of all forms and presentation of all documentation required for an application pursuant to R.S. 37:2712 and §319;

d. Repealed.

e. - f. ...

4. Applicants who present completed applications and the supporting documentation required by this Rule are eligible for a temporary social work practice permit at the level of the applicable social work credential which is the subject of the application. The board, through its staff, will give priority processing to such applications and, subject to verification of applications and supporting documentation, issue the appropriate temporary practice permit not later than 21 calendar days after the completed application is submitted. The temporary social work practice permit authorizes the applicant to practice social work at the designated level of the social work credential, consistent with the verified application and supporting documentation for a period of 90 days from the date of issuance.

5. As soon as practicable, but not longer than the duration of the applicant's temporary social work practice permit, the board will either grant the application for the applicable social work credential which is the subject of the application or notify the applicant of its denial.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:302 (February 2000), amended LR 29: 2383 (November 2003), LR 34:1402 (July 2008), LR 37:2617 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:305 (February 2014), LR 51:

§311. Renewal Notice Requirements for LCSWs Supervising LMSWs or CSWs

A. Licensed clinical social workers must list on their renewal form all licensed master's social workers and certified social workers under their supervision for licensure requirements and the agency setting in which the LMSW or CSW is practicing.

B. - G. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:304 (February 2000), amended LR 29:2384 (November 2003), LR 34:247 (February 2008), LR 37:2618 (September 2011), LR 51:

§313. Fees

A. The fees charged by the Louisiana State Board of Social Work Examiners shall be as follows. These fees are nonrefundable.

Fee	Amount
1. Application fee for LCSW	\$100
2. Application fee for LMSW	\$75
3. Application fee for RSW	\$50
4. Application fee for retake of LCSW exam	\$50
5. Application fee for retake of LMSW exam	\$50
6. Renewal fee for LCSW	\$100
7. Renewal fee for LMSW and CSW	\$100
8. Renewal fee for RSW	\$50

Fee	Amount
9. Lapsed renewal fee for LCSW (submitted after August 31 but before March 1 of the following year)	\$200
10. Lapsed renewal fee for LMSW and CSW (submitted after August 31 but before March 1 of the following year)	\$200
11. Lapsed renewal fee for RSW (submitted after August 31 but before March 1 of the following year)	\$100
12. Fee for returned checks	\$25
13. Reissuance of lost or destroyed certificate	\$25
14. Fee for mailing list per licensee	\$0.05
15. Copy fee for documents	\$0.25 per page plus postage and handling
16. Fax transmissions	\$5 first page \$1 each additional page
17. Written verification of license, certificate or registration	\$25
18. E-commerce fee	\$3

B. Applicants seeking reinstatement of a license, certificate, or registration pursuant to R.S. 37:2714(D) or (E) shall pay the applicable initial application fee stated in subsection (A)(1) through (3) of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:304 (February 2000), amended LR 29:2384 (November 2003), LR 34:248 (February 2000), amended LR 29:2384 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), LR 51:

§317. Continuing Education Requirements

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 (February 2000), amended LR 29:2385 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), repealed LR 51:

§319. Reciprocity and Endorsement

A. The board may grant a license, certification or registration pursuant to a social worker credentialed in another state, territory, commonwealth, or district in accordance with R.S. 37:2712.

B. A social worker seeking a Louisiana license, certification or registration pursuant to this Rule bears the burden to establish that the state, territory, commonwealth, or district in which they are credentialed requires substantially equivalent educational, supervision, and examination requirements as would be required for a Louisiana license, certification or registration.

C. - C.7. Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:306 (February 2000), amended LR 34:249 (February 2008),

LR 37:2619 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended LR 51:

§325. Inactive Status

A. A social worker with any valid registration, certification or license may petition on a form provided by the board to be placed on inactive status. A social worker on inactive status may only engage in the following:

1. participate as a member in a social work professional organization without compensation provided that such participation does not involve providing services to clients; and

2. participate as a member or officer without compensation on a non-profit board of an organization so designated by the Internal Revenue Service, provided that such participation does not involve providing services to clients.

B. A social worker on inactive status shall maintain half of the continuing education units required of active social workers.

C. A social worker on inactive status may retain this status for no more than five consecutive years without submitting a new petition pursuant to subsection A. However, in no event may a social worker maintain inactive status for more than ten cumulative years. A social worker on inactive status must renew their license, certification or registration annually during the renewal period designated by law.

D. A social worker may terminate their inactive status by providing written notice to the board and completing the number and type of continuing education hours required for active social workers in the credential year in which active status is resumed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§327. Emeritus Status

A. A social worker with any valid registration, certification or license who meets any of the following criteria may petition on a form provided by the board to be placed on emeritus (retired) status.

1. has attained the age of at least 60 years and has been credentialed by the board for at least 15 years;

2. has been designated as disabled by the appropriate authority and has been credentialed by the board for at least 15 years; or

3. has been credentialed by the board for at least 30 years.

B. A social worker on emeritus status may only engage in the following:

1. provide social work services on a volunteer basis and not for compensation;

2. participate as a member or officer in a social work professional organization; and

3. participate as a member or officer on a non-profit board of an organization so designated by the Internal Revenue Service.

C. A social worker on emeritus status shall maintain half of the continuing education units required of active social workers and shall pay one-half of the applicable renewal fee for the registration, certification or license.

D. A social worker on emeritus status may retain this status indefinitely.

E. A social worker may terminate emeritus status by providing written notice to the board and completing the number and type of continuing education hours required for active social workers in the credential year in which active status is resumed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

Chapter 5. Minimum Supervision Requirements

§503. LMSWs Seeking the LCSW Credential

A. - C. ...

D. LMSWs seeking the LCSW credential must complete a minimum of 3,000 hours of postgraduate social work practice under the supervision of a board-approved clinical supervisor (BACS).

E. During the 3,000 hours of supervised practice, 96 hours of face-to-face supervision must occur between the supervisor and supervisee. Supervisory meetings must last no fewer than 30 minutes and no longer than 2 hours. In no case should more than 80 hours of practice occur without a supervisory meeting. Supervision credit shall not be issued for the time period that this requirement is not met.

F. - G. ...

H. Repealed.

I. - O.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:307 (February 2000), amended LR 29:2387 (November 2003), LR 34:1402 (July 2008), LR 37:2620 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 43:960 (May 2017), LR 46:791 (June 2020), LR 51:

§505. The LMSW not receiving BACS supervision or the CSW not eligible for BACS supervision

A. The LMSW who is not receiving BACS supervision or the CSW not eligible for BACS supervision, may deliver clinical services only under the supervision of an LCSW. Supervision under these circumstances does not require that the supervising LCSW have the board-approved clinical supervisor (BACS) designation.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:307 (February 2000), amended LR 34:249 (February 2008), LR 37:2620 (September 2011), LR 51:

§509. Telesupervision

A. Definitions

1. *In-Person Supervision*—clinical supervision conducted through real time, face-to-face meetings of the supervisee and supervisor in the same physical location.

2. *Telesupervision*—clinical supervision conducted through the use of real time, face-to-face synchronous interactive conferencing between the supervisee and supervisor through electronic, visual, and audio means.

B. Social workers engaging in electronic practice who provide services to clients in Louisiana shall be licensed to practice in Louisiana. Social workers who are licensed to practice in jurisdictions other than Louisiana and/or who are pursuing clinical licensure in another state shall be licensed to practice in Louisiana to engage in telesupervision. Social workers shall be actively engaged in the practice of social work in Louisiana to receive telesupervision. The supervisor shall be a Louisiana licensed supervisor.

C. A BACS licensed in Louisiana shall not provide telesupervision to social workers in pursuit of a clinical license in Louisiana who are not actively practicing social work in Louisiana. A BACS may provide telesupervision from outside of Louisiana, when located outside of Louisiana.

D. Licensed social workers who engage in telesupervision shall:

1. Complete 1.5 hours of continuing education in telesupervision/telepractice. This is a one-time requirement. Documentation of completion shall be filed with the board.

2. Adhere to and preserve the confidential nature of supervision and the supervision process.

3. Ensure that clients whose records may be discussed as a part of supervision provide written informed consent to having confidential records and information transmitted electronically in accordance with Health Insurance Portability and Accountability Act (HIPAA) of 1996.

4. Conduct telesupervision in a setting that adheres to licensure and interstate boundaries regarding location of the supervisor and supervisee and in a manner that protects the privacy of both parties and client information. The supervisor shall terminate the telesupervision session if the confidentiality of the process is compromised inclusive but not limited to malfunction or inoperability of the technology platform that contributes to the impediment of the telesupervision process.

5. Utilize secure transmittal methods, (encryption, for example) to maintain confidentiality of information and maintain proficient knowledge and skills in the utilization of electronic platforms.

6. Ensure continuity, consistency, and format of supervision delivery are clearly outlined in the written supervision contract. The supervision contract shall indicate the format of delivery and safeguards for the supervision process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

Chapter 7. Recovering Professional Program Authority

§ 701. Authority

A. The Louisiana State Board of Social Work Examiners recognizes that impairments in the functioning of persons licensed, credentialed or registered to practice under the auspices of the Louisiana Social Work Practice Act can affect competent delivery of social work services and impair professional judgment.

B. Therefore, in order to safeguard the public health, safety, and welfare of the people of this state, as mandated by R.S. 37:2701, the Louisiana State Board of Social Work Examiners establishes the Social Work Recovering Professional Program.

C. If the board receives verifiable information, which information or report puts in question a licensee's or applicant's ability to perform the essential functions of practicing social work without risking injury to themselves or others, the licensee or applicant shall submit to such physical or mental examination, evaluation, test, or drug/alcohol screen as requested by the administrator or board designee to determine the licensee's or applicant's ability to practice social work with reasonable skill and safety.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2389 (November 2003), amended LR 34:249 (February 2008), LR 51:

§703. Purpose

A. The goal of the Social Work Recovering Professional Program is to provide for public protection through monitoring and a remediative course of action applicable to social workers who are physically or mentally recovering due to mental illness or addiction to drugs or alcohol. Impairments include, but are not limited to mental, medical, physical, and addictive disorders or other conditions. The program also supports recovery through preventive measures and allows entrance into the program before harm occurs.

B. ...

C. Professionals who participate in evaluation, monitoring or treatment and who are recognized approved or designated by the board to render these services are afforded the immunity provisions of the Social Work Practice Act, R.S. 37:2723. The social worker will be responsible for executing all required releases of information and authorizations required for the board or its designees to obtain information, from any monitor, treatment or service provider concerning the social workers progress and participation in the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2389 (November 2003), amended LR 34:249 (February 2008), LR 37:2620 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), LR 51:

§705. Program Implementation

A. The board may utilize its discretionary authority to require or exclude specific components of this program for participants based upon determination of the nature and severity of the impairment. Participation in the Social Work Recovering Professional Program may consist of all or part of the following components.

1. The program participant is required to submit to an intake interview conducted by the RPP Manager and/or evaluation by a board recognized treatment provider relative to the impairment.

a. If impairment is suspected to be related to addiction to drugs or alcohol, the evaluation is to be conducted by a team of professionals recognized by the Louisiana State Board of Social Work Examiners.

b. The format and content of this evaluation will meet the requirements designated by the board, but will at a minimum contain information concerning:

b.i - b.ii. ...

- iii. an assessment of the participant's psychosocial, physical and other needs relative to the impairment;
- iv. review of program participant's Prescription Monitoring Record;
- v. observed urine, hair and blood testing for drugs and alcohol;
- vi. collateral information; and
- vii. recommendations for future treatment.

c. The evaluation will be forwarded to the board or its designee by the treatment team completing the assessment, to be received no later than 30 days following the board's determination of the participant's potential eligibility or requirement to participate in the program.

2. The participant may be required to submit to ongoing monitoring for a period of up to five years.

a. The beginning date of the monitoring period will be the date upon which a consent order or participation agreement is formally accepted and signed by the board, or the date of the board's official decision to require program participation in the event of an adjudication hearing.

3. During the monitoring period the social worker may be required to submit to random drug and/or alcohol screenings as determined appropriate by the RPP Manager, or other monitoring requirements which are pertinent and relative to the documented impairment.

a. The interval, timing and details of the required screening will be directed by the RPP Manager.

b. Results and reports of all screens for a minimum of the month prior will be submitted to the board or its designee during regularly scheduled board meetings.

4. ...

5. When the impairment is related to addiction, the social worker may be required to attend and participate in a Twelve Step recovery program, or an alternative mutual help program approved by the RPP Manager or the board.

a. Verification of monthly attendance at required Twelve Step and support groups must be submitted to and received by the board or its designee in the manner, format and timeline stipulated in social worker's participation agreement.

6. ...

7. In the event that a social worker relocates to another jurisdiction, the social worker will within five days of relocating be required to either enroll in the other jurisdiction's recovering professional program and have the reports required under that agreement sent to the Louisiana State Board of Social Work Examiners, or if the other jurisdiction has no recovering professional program, the social worker will notify the licensing board of that jurisdiction that the social worker is recovered and enrolled in the Louisiana Social Work Recovering Professional Program. Should the social worker fail to adhere to this requirement, in addition to being deemed in violation of the program requirements and corresponding consent order or adjudication, the social worker's social work credential will be suspended.

8. - 12. ...

13. The social worker must submit to the board an appropriately notarized participation agreement indicating acceptance of the required conditions of participation in the Social Work Recovering Professional Program mandated by the board, along with all initial (or updated) releases or

authorizations for the board or its designees to obtain information concerning the social worker's participation and progress in the program. This statement and the required releases and authorizations must be submitted prior to the issuance of any initial credential or re-issuance of a renewal of a credential.

14. ...

B. The records of the RPP, including participation agreements and all information concerning participants, including assessments, evaluations, physical, mental or substance abuse evaluations and/or therapy and treatment records, monitoring logs, substance abuse/drug screens, attendance verification calendars and any other information received by the RPP in connection with a social worker's participation in the program are within the custody and control of the Louisiana State Board of Social Work Examiners. Consistent with §705(A)(14), such records shall be maintained by the board on a confidential basis during the term of the social worker's participation agreement and thereafter retained by the board for a period of not less than five years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2389 (November 2003), amended LR 34:250 (February 2008), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), LR 51:

Chapter 9. Procedural Rules

§901. Authority

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2390 (November 2003), amended LR 37:2621 (September 2011), repealed LR 51:

§903. Complaint Origination

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2390 (November 2003), amended LR 37:2621 (September 2011), repealed LR 51:

§905. Investigation Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2391 (November 2003), amended LR 34:1405 (July 2008), LR 37:2621 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), repealed LR 51:

§907. Disposition of Investigation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2391 (November 2003), amended LR 37:2621 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), repealed LR 51:

§909. Administrative Complaint Procedure

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2392 (November 2003), repealed LR 51:

§911. Notice of Administrative Complaint and Hearing Scheduling

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:307 (February 2014), repealed LR 51:

§913. Response to Complaint, Notice of Representation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), repealed LR 51:

§915. Pleadings, Motions; Service

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), repealed LR 51:

§917. Pre-Hearing Motions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), repealed LR 51:

§919. Motions for Continuance of Hearing

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), amended LR 37:2622 (September 2011), repealed LR 51:

§921. Disposition of Pre-Hearing Motions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2394 (November 2003), repealed LR 51:

§923. Rules of Evidence; Official Notice; Oaths and Affirmations; Subpoenas; Depositions and Discovery; Confidential Privileged Information, and Executive Session

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2394 (November 2003), repealed LR 51:

§925. Designation of Hearing Panel, Disqualification and Replacement

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2394 (November 2003), amended LR 37:2622 (September 2011), repealed LR 51:

§927. Board's Independent Legal Counsel

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2395 (November 2003), repealed LR 51:

§929. Pre-Hearing Conference

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2395 (November 2003), repealed LR 51:

§931. Consolidation of Cases

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2395 (November 2003), repealed LR 51:

§933. Conduct of Hearing; Record

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2395 (November 2003), repealed LR 51:

§935. Evidence

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2396 (November 2003), repealed LR 51:

§937. Decisions; Notice

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2396 (November 2003), repealed LR 51:

§939. Rehearings

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2397 (November 2003), repealed LR 51:

§941. Miscellaneous Rules

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2397 (November 2003), repealed LR 51:

§943. Compliance Hearing

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2397 (November 2003), repealed LR 51:

§945. Declaratory Ruling

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2398 (November 2003), amended LR 37:2622 (September 2011), repealed LR 51:

Chapter 10. Procedural Rules for Disciplinary Hearings

§1001. Authority

[Formerly §901]

A. Consistent with the legislative purpose specified in R.S. 37:2701 et seq., and to protect the safety and welfare of the people of this state against unauthorized, unqualified and improper practice of social work, the following rules, standards, and procedures are established under the board's rule making authority of R.S. 37:2705(C), 37:2717(C)(E) and R.S. 49:952.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29: 2390 (November 2003), repromulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners LR 37:2621 (September 2011), LR 51:

§1003. Purpose and Construction

A. The purpose of this Chapter is to ensure that all persons appearing before the board are afforded the right to due process and to a fair investigation and adjudication of matters under the board's authority.

B. This Chapter shall be construed to accomplish the purpose stated in Subsection A above.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1005. Simplification and Accessibility

A. In accordance with the stated purpose and required construction of this chapter, the board may provide information to licensees and applicants summarizing and simplifying this chapter; however, these informational materials will not supersede this Chapter.

B. The board may also prepare and disseminate forms to assist complainants and respondents in the investigative and adjudicative process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1007. Duty to Maintain Contact Information;

Notification to Applicant or Licensee; Service

A. All applicants and licensees have a duty to maintain current contact information with the board, including an accurate mailing address, a serviceable email address, and a current telephone number.

B. Unless a more specific method of service is required by these rules, notification to a licensee or applicant shall be

sufficient if such notification is sent to the applicant's or licensee's email address or first-class mail to the applicant's or licensee's mailing address on file with the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1009. Complaint Origination

A. The administrator is authorized to receive complaints against licensees and applicants from any person. The administrator is also authorized to initiate a complaint upon receipt of information that, if proven, would constitute grounds for discipline under the Practice Act or this Part.

B. Upon receipt of a complaint, the administrator shall verify its compliance with this Chapter. The administrator may reject a complaint if:

1. the respondent cannot be determined from the complaint;
2. the respondent is neither a licensee nor an applicant;
3. the complaint is illegible or incomplete; or
4. the complaint does not allege facts which, if proven, would constitute a violation of the Practice Act or this Part.

C. When the administrator rejects a complaint pursuant to subsection B, the complainant shall be notified in writing. The administrator shall report to the board at its next regularly scheduled meeting the nature of any rejected complaints and the reason for the rejection.

D. All complaints received by the administrator and not rejected shall be assigned a complaint number in accordance with a numbering system prescribed by the administrator. The administrator shall notify the respondent in writing that a complaint has been received.

E. When two complaints concern the same or related respondents and describe the same or a substantially similar event, transaction, or conduct, the administrator may consolidate the complaints. The board may order two or more complaints consolidated or sever consolidated complaints for good cause.

F. To assist in an investigation, the board is authorized to issue, as necessary or upon request, such investigative subpoenas as may be required to obtain documents, the appearance of witnesses, or sworn statements or testimony.

G. As part of an investigation, the board is authorized to obtain criminal history record information from respondents who have not previously submitted to the requirements of R.S. 37:2710.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1011. Consideration of Recommended and Provisional Dismissals; Declining Prosecution

A. The administrator or prosecuting officer may recommend that a complaint be dismissed at any time prior to final adjudication. Recommendations for dismissal by the administrator or the prosecuting officer and provisional dismissals for withdrawn complaints pursuant to §1056 must be reviewed by a board member and considered by the board prior to final dismissal. Complaints rejected by the administrator pursuant to §1010(B) are exempt from the procedures in this Section.

B. Prior to each regular meeting of the board, the chairperson shall designate one or more board members, on a rotating basis, to review all recommendations for dismissal and applicable provisional dismissals since the previous regular board meeting. The administrator will forward all complaint files recommended for dismissal or provisionally dismissed to the board member designated for review.

C. For recommended dismissals, the reviewing board member shall evaluate the complaint file to ensure that the dismissal recommendation is sound and is appropriately based in law and fact. The reviewing board member may also review any recommended remedial or educational measures, or the lack thereof, for appropriateness.

D. If the reviewing board member concurs with the recommendation that a complaint be dismissed, the board member shall make an oral report to the board and personally move for the complaint's dismissal at the next regular board meeting following review.

E. If the reviewing board member disagrees with the recommendation that a complaint be dismissed, the board member shall make an oral report to the board outlining the nature of the disagreement and recommend that the complaint be returned to the administrator for prosecution. If, after a complaint is returned to the administrator under this subsection, the prosecuting officer nevertheless declines to prosecute the complaint, the prosecuting officer shall file a written notice with the board and provide the reasons for declining prosecution.

F. The standard for provisional dismissals based on withdrawn complaints is stated in §1056.

G. When a board member reviews a recommended or provisional dismissal under this Section, the board member shall not sit on a hearing panel adjudicating that complaint without the consent of the respondent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1013. Prerequisites for Institution of Administrative Proceedings; Showing of Compliance

A. At any point before an Administrative Complaint is filed with the board, the administrator shall notify the respondent of the nature of the potential charges against the respondent and permit the respondent to provide a response within 30 calendar days.

B. If the respondent submits evidence to show compliance in response to this notice within the time allowed, the administrator and prosecuting officer shall review the evidence and determine whether it is legally sufficient to constitute compliance with all lawful requirements for the retention of a registration, certification, or license under the Practice Act. If the evidence provided is not sufficient, the prosecuting officer shall institute administrative proceedings pursuant to §1016. If the administrator and prosecuting officer are satisfied that the evidence submitted is sufficient to show compliance, the matter shall be docketed for the next regularly board meeting as a recommended dismissal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1015. Institution of Administrative Proceedings

A. Upon exhaustion of the procedures in §1014, the prosecuting officer shall file an administrative complaint with the board.

B. Upon receipt of an administrative complaint, the administrator shall docket the matter for adjudicative hearing at a regular meeting of the board. The administrator shall serve the filed administrative complaint and written notice of the hearing to the prosecuting officer and to the respondent pursuant to the Practice Act. The administrator shall also notify the respondent, in writing, of any deadlines for pre-hearing motions or other submissions.

C. The respondent may file a response to the allegations in the administrative complaint, admitting or denying the allegations of fact and law and urging any defenses potentially applicable.

D. The administrator shall be responsible for serving the prosecuting officer with any response filed by the respondent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1017. Right to Counsel; Notice of Representation

A. The respondent has the right to be represented by an attorney in all administrative proceedings before the board.

B. An attorney representing a respondent before the board must file a notice of representation with the board prior to the attorney's first appearance. This notice must include the attorney's name, bar roll number, telephone number, mailing address, and email address.

C. Upon receipt of a notice of representation, the administrator shall advise the prosecuting officer of such notice and shall direct all communications to the respondent's attorney.

D. Nothing in this section shall be construed to require the board to furnish a respondent's legal representation nor to require an attorney be provided to a respondent free of charge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1019. Pre-Hearing Motions and Other Filings

A. Any party may file one or more motions in advance of an adjudicative hearing. The nature of the relief sought by the motion must be concisely stated and supported by facts and law in the motion itself or in an accompanying memorandum.

B. The following is a non-exclusive list of pre-hearing motions:

1. Motion to Dismiss;
2. Motion to Exclude Evidence or Testimony;
3. Motion to Recuse Board Member or Hearing Officer;
4. Motion to Continue (Delay) Hearing;
5. Motion to Compel Production of Documents or Things; and
6. Motion to Compel Appearance of a Witness.

C. Pre-hearing motions may be filed at any time prior to the adjudicative hearing.

D. All pre-hearing motions shall be assigned to the hearing officer. The hearing officer may issue a ruling on the motion in writing prior to the adjudicative hearing or orally as a preliminary matter at the adjudicative hearing. Oral argument on the pre-hearing motion may be granted at the hearing officer's discretion.

E. Oral motions may be heard, considered, and decided at the beginning of an adjudicative hearing at the discretion of the hearing officer.

F. Interlocutory decisions of the hearing officer are immediately appealable to the hearing panel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1021. Discovery

A. The parties may conduct discovery pursuant to the Louisiana Administrative Procedure Act.

B. The parties shall exchange all documents they intend to use as exhibits in an adjudicative hearing no less than ten days prior to the hearing. For good cause shown, exhibits exchanged after the deadline may be considered at the adjudicative hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1023. Hearing Panels

A. After the board has selected its regular meeting dates for a calendar year, the chair shall designate a standard panel and limited panel for each regular meeting of the board. The panels so designated shall hear and decide all adjudicative hearings and compliance hearings docketed for that date unless necessary to comply with Subsection D of this Section. The chair shall ensure, to the extent practicable, that each panel is diverse.

B. All adjudicative hearings take place before a standard panel; however, a respondent may request in writing to proceed before a limited panel. Upon receiving such request, the administrator will docket the adjudicative hearing before a limited panel.

C. In the event one or more members of a hearing panel are not present for the hearing, the chair shall designate a board member to substitute for the assigned hearing panel member. If there are not enough qualified board members present to compose a standard panel, an adjudicative hearing may proceed before a limited panel only if the respondent consents or if the hearing is being conducted in default. If the respondent is present but does not consent, the adjudicative hearing shall be continued to the next available hearing date.

D. When the respondent is a licensee, the hearing panel shall include a board member possessing the same credential as the respondent unless the members with the same credential are recused or this requirement is waived by respondent. If the panel assigned for the hearing date does not include a member possessing the same credential as the respondent, a panel member with a different credential shall be replaced by a member with the same credential as the respondent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1025. Hearing Officer

A. Upon docketing of an administrative complaint, if the chair will not serve as the hearing officer, the chair shall appoint a hearing officer assigned to the complaint. The name of the hearing officer appointed shall be affixed to the administrative complaint filed with the board and shall be noted on all motions and other documents filed with the board relating to the complaint.

B. The hearing officer must be one of the following:

1. the chair;
2. a member of the board;
3. the general counsel; or
4. an attorney licensed in Louisiana appointed by the board.

C. When the hearing officer is a member of the board, the hearing officer shall take part in deliberations and in rendering a decision after the adjudicative hearing. When the hearing officer is not a board member, the hearing officer shall provide advice and guidance to the hearing panel upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1027. Recusal

A. Board members, hearing officers, and prosecuting officers have a duty to recuse themselves from proceedings in the following circumstances:

1. the board member, prosecuting officer, or hearing officer is a witness in the proceedings;
2. the board member, prosecuting officer, or hearing officer has a familial or professional relationship with the respondent or the complainant such that failure to recuse would cast doubt upon the validity and fairness of the proceedings; or
3. the board member, prosecuting officer, or hearing officer is biased, prejudiced, or interested in the proceeding or its outcome or biased or prejudiced toward or against the parties or the parties' attorneys or any witness to such an extent that they would be unable to conduct fair and impartial proceedings.

B. Any party may move to recuse a board member or hearing officer for good cause shown. Motions to recuse shall be considered by the hearing panel, excluding the board member sought to be recused who shall not participate in the hearing of the motion. The motion to recuse shall be heard as soon as practicable after the motion is filed. The motion shall be granted only if a majority of the panel finds recusal appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1029. Open Meetings; Privilege; Confidentiality

A. Proceedings before the board, including adjudicative hearings, shall be conducted in accordance with the Louisiana Administrative Procedure Act, as modified by the Louisiana Public Records Law (R.S. 44:1, et seq.) and any other state or federal law of privacy or privilege.

B. To the extent applicable, the testimonial privileges set out in the Practice Act and the Louisiana Code of Evidence will apply to the hearings before the board. By bringing a complaint against a social worker, the client waives the privilege of confidentiality with respect to any information necessary for the board to adjudicate the matter.

C. The board shall take all reasonable steps to protect confidential records from public disclosure, including sealing documents or records or designating portions of a complaint file or record of adjudication as confidential and not subject to public disclosure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1031. Pre-Hearing Conference

A. Prior to an adjudicative hearing, the parties may request, or the hearing officer may order, a pre-hearing conference. Any such request or order shall be in writing and filed with the board. A pre-hearing conference may be in person or conducted via telephone or videoconference.

B. The parties may use the pre-hearing conference to simplify and condense the issues, agree on the introduction of evidence, develop stipulations, develop a narrative of facts, or employ any other mechanism to simplify and streamline proceedings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1033. Record of Adjudication

A. The administrator shall be responsible for maintaining a record of adjudication for each complaint. The record of adjudication shall contain all documents required by R.S. 37:2717(C).

B. All adjudicative hearings shall be transcribed in full by a properly credentialed court reporter. The transcript of the adjudicative hearing shall become part of the record of adjudication. Other ancillary hearings, such as hearings on pre-hearing motions, consideration of consent discipline, or other proceedings, may also be transcribed by a properly credentialed court reporter and may become part of the record of adjudication.

C. The administrator may seal portions of the record of adjudication in the interest of protecting privacy or privilege of a client or other affected person.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1035. Conduct of Adjudicative Hearing

A. Adjudicative hearings are conducted in open session, except where closed or executive session is specifically authorized by law, as identified in these Rules.

B. At the adjudicative hearing, the prosecuting officer and the respondent may present evidence on all issues of fact and argument on all issues of law and policy involved; may call, examine, and cross-examine witnesses; and may offer and introduce documentary evidence and exhibits as may be required for a full and true disclosure of the facts and disposition of the complaint.

C. During the hearing, the hearing officer shall rule upon all evidentiary objections and other procedural questions, but

in their discretion may consult with the hearing panel in executive session. The general counsel, when not serving as the hearing officer, may assist the hearing officer and the hearing panel, either in open session or executive session, in ruling on evidentiary objections and other procedural issues raised during the hearing.

D. The order of presentation in an adjudicative hearing, unless the parties stipulate otherwise and the hearing panel approves, is first the presentation of evidence by the prosecuting officer, the presentation of evidence by the respondent, then rebuttal by the prosecuting officer (if any). Rebuttal shall be directed to issues raised by the evidence and defenses presented by the respondent. In the interest of fairness, the respondent may be provided a limited opportunity to present additional evidence following rebuttal.

E. Hearing panel members may question any witness at any time during the witness' testimony when recognized by the hearing officer. Additional direct examination, cross-examination, or redirect examination by either party to address responses to questions by hearing panel members shall be permitted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1037. Evidence and Proof in Adjudicative Hearings

A. In an adjudicative hearing, the hearing panel may give weight to evidence that a reasonable person would find credible and probative. The panel may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence. Objections to evidence may be made by the parties and shall be noted in the record.

B. Any documents either party desires the hearing panel to consider may be offered as an exhibit and made part of the record of adjudication. Copies or excerpts of documents are competent evidence if they are properly authenticated.

C. When the interests of the parties will not be prejudiced, any part of the evidence may be received in written form.

D. Unless prohibited by law, the hearing panel will honor and receive written and verbal stipulations between the parties as established facts, provided that verbal stipulations are entered on the record of adjudication by all parties or their counsel.

E. The hearing officer shall have the power to administer oaths or affirmations to all witnesses appearing to give testimony. The hearing officer shall regulate the course of the adjudicative hearing, set the time and place of continued hearings, and fix the time for the filing of post-hearing briefs and other documents (if any are required or requested).

F. In an adjudicative hearing, the Louisiana Code of Evidence may be used as a reference by the hearing panel for admissibility of evidence and other evidentiary issues. The provisions of the Code of Evidence relating to hearsay are not strictly applicable to adjudicative hearings.

G. At an adjudicative hearing, the burden of proof rests with the prosecuting officer. A hearing panel shall not impose a sanction or issue an order except upon consideration of the entire record of adjudication, as supported by and in accordance with reliable, probative, and substantial evidence. The burden of proof related to any issue is that of a preponderance of the evidence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1039. Notice of Generally Recognized Facts and Social Work Principles

A. Upon its own motion or on request of a party, the hearing panel may take notice of and accept facts not disputed.

B. The hearing panel may draw upon its knowledge of social work, social work practice, and social work methodology in evaluating any evidence presented.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1041. Closing Arguments; Post-Hearing Filings; Submission of Matter

A. At the close of evidence, the parties may offer closing arguments. The prosecuting officer shall offer closing arguments first, followed by the respondent. The prosecuting officer may provide a rebuttal after the respondent's closing argument.

B. The hearing panel may request the parties file post-hearing memoranda, proposed findings of fact and conclusions of law, or any other post-hearing filings that would assist the hearing panel in adjudicating the matter. All documents shall be filed within the delay prescribed by the hearing panel. A matter will be deemed submitted to the hearing panel when the deadline set by the hearing panel for accepting post-hearing filings has passed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1043. Decision on Adjudicative Hearing

A. When a matter has been submitted, the hearing panel shall deliberate and reach its findings of fact and conclusions of law as soon as practicable. The hearing panel shall render its decision in writing within 60 calendar days after the matter's submission.

B. The hearing panel's findings of fact and conclusions of law, including any sanction if applicable, shall be issued by the hearing officer on behalf of and in the name of the board. In any decision in which the hearing panel's decision was not unanimous, those hearing panel members deciding with the majority shall be noted in the decision. Any panel member disagreeing with any portion of the decision shall note their dissent on the decision and may supply written reasons for the dissent.

C. A copy of the decision and any written reasons shall be served promptly upon respondent or their counsel of record and on the prosecuting officer in the same manner of service prescribed for the service of complaints. The decision shall include deadlines for filing a petition for rehearing and petition for administrative appeal.

D. A decision becomes a final adjudication when delays for rehearing and administrative appeal have run without further action or when a decision has been administratively appealed and resolved by an en banc panel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1045. Rehearing

A. A party may request rehearing by filing a petition for rehearing with the Board pursuant to R.S. 49:959. This petition must be filed within 10 calendar days of the entry and mailing of the decision.

B. A petition for rehearing shall be submitted to the matter's hearing officer, who shall determine whether the matter will be reopened and, if so, the issues to be reopened.

C. On rehearing, the hearing panel in the original adjudicative hearing shall receive evidence as to the reopened issues and shall reach a decision as provided in §1044.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1047. Administrative Appeal

A. A respondent aggrieved by a decision of a hearing panel may administratively appeal the decision to an en banc panel.

B. A respondent commences an administrative appeal by filing a petition for administrative appeal with the board no less than 30 calendar days after the expiration of the time to file a petition for rehearing or after a decision on rehearing is rendered. The petition for appeal need only give notice of the grounds for the appeal and the relief sought.

C. The en banc panel may request written briefs, oral argument, or both. If written briefs are requested, the en banc panel shall provide the parties with a reasonable briefing schedule.

D. On appeal, the en banc panel may reverse or modify factual determinations only if they are clearly wrong. The en banc panel may reverse or modify legal conclusions, rulings on evidence, and sanctions imposed only if it finds the hearing panel or hearing officer abused its discretion.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1049. Informal Resolution through Consent Discipline

A. At any point after the administrator's receipt of a complaint but before final adjudication, the respondent may resolve the complaint through consent discipline, provided that any consent discipline must be approved by the prosecuting officer and the board.

B. Upon approval by the board, consent discipline is deemed to be a final adjudication of the complaint and is not subject to rehearing or administrative appeal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1051. Voluntary Relinquishment of Credential in Lieu of Discipline

A. A licensee may request to resolve any complaint pending against them by filing with the board at any time a petition for voluntary relinquishment of credential. The petition shall include the licensee's name, credential number, and a statement that the licensee wishes to voluntarily surrender their registration, certification, or license in lieu of answering the complaint against them.

B. A petition for voluntary relinquishment of credential may be granted by the board in its discretion. The board may

grant the petition based only on the complaint and written submissions of the respondent or may order the respondent to appear for a hearing.

C. If the board grants a petition for voluntary relinquishment of credential, the order granting such petition must contain the following information:

1. identification of the respondent and any credential number held by the respondent;
2. a statement of the respondent's alleged conduct, including the underlying material facts and the statutes or rules the respondent is alleged to have violated;
3. a statement that the respondent has chosen to petition the board for voluntary relinquishment of their credential rather than answer the allegations against them;
4. instructions to the respondent as required to complete the surrender;
5. amounts to be paid to the board, including costs and attorney's fees, as part of the surrender, if any;
6. additional conditions of the surrender, if any;
7. conditions imposed upon the respondent's reapplication for any credential, including any moratorium on reapplication; and
8. a statement that the order is a public record and will become part of the respondent's permanent disciplinary record.

D. A licensee who has voluntarily relinquished their credential shall be treated as a new applicant if they seek any credential from the board after such relinquishment. The licensee shall be ineligible for any credential unless and until all conditions of their relinquishment, such as payment of costs or fees, have been satisfied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1053. Default

A. When notice has been sent to a respondent's address of record via U.S. Certified or Registered Mail and the respondent fails to appear without good cause, the adjudicative hearing may proceed in the absence of the respondent. When the respondent fails to appear, the hearing panel shall first conduct an evidentiary hearing to determine whether the respondent was sent notice of the hearing as required by this Part.

B. When an adjudicative hearing proceeds according to this section, the rules concerning evidence and proof remain applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1055. Withdrawal of Complaint

A. A complainant may withdraw a complaint at any time prior to submission of the matter to the hearing panel under §1042. The complainant withdraws a complaint by written notice to the administrator.

B. When a complaint is withdrawn, the administrator shall provisionally dismiss the complaint if there are no remaining violations to be adjudicated. The administrator shall then transmit the claim file to a reviewing board member pursuant to the procedures outlined in §1012.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1057. Summary Suspension and Other Interim Action

A. Pursuant to R.S. 37:2717(B)(6), when the administrator or prosecuting officer believes that protection of the public health, safety, or welfare imperatively requires emergency action on a complaint at any stage of the disciplinary process, the administrator, prosecuting officer, or both may petition the chair for a summary suspension of a licensee or any other temporary, interim action against a licensee or applicant.

B. The petition must be in writing, must clearly identify the threat to the public health, safety, or welfare presented by the licensee, and must state the interim action sought. The petition must be filed with the chair.

C. Upon receipt of a petition pursuant to this section, the chair will immediately appoint a limited panel who will hear and adjudicate the petition. The limited panel will convene a hearing no more than 10 days after the chair's receipt of the petition.

D. The respondent shall be notified of the petition and the hearing as quickly as reasonably possible by the administrator or prosecuting officer. The respondent must be permitted to be heard if the respondent requests it. A hearing without notice to the respondent and an opportunity to be heard is null except under the most extraordinary of circumstances whereby advance notice of the petition and hearing to the respondent would result in additional harm to the public health, safety, or welfare.

E. The limited panel shall render its decision in writing and serve it on all parties as quickly as practicable.

F. The respondent may, at any time, move to dissolve any interim action taken against them by filing a motion to dissolve with the chair. To dissolve the interim action, the respondent must establish that either:

1. The petition for interim action was improvidently granted, or
2. The threat to the public health, safety, or welfare occasioned by the respondent's acts or omissions no longer exists.

G. Motions to dissolve must be heard by the same limited panel that heard the initial petition for interim action.

H. Interim action may be modified upon motion of a party or on the limited panel's own motion. Interim action dissolves upon dismissal or final adjudication of the underlying complaint.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1059. Meetings and Hearings by Videoconference

A. Testimony may be received in any hearing or meeting pursuant to this Chapter via teleconference or videoconference when necessary for the interests of justice and expediency, provided the hearing or meeting is conducted in compliance with relevant open meetings laws.

B. No teleconference or videoconference may proceed under this Chapter if the respondent, licensee, or applicant whose credential or application is at issue cannot meaningfully participate in the teleconference or videoconference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1061. Letter of Concern or Education; National Database Reporting

A. The board may issue a letter of concern or education when there is insufficient evidence of a violation.

B. Notwithstanding the board's reporting obligations under 45 CFR 60.4 et seq., a letter of concern or education will not result in a "disciplinary flag" as that term is described in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

Chapter 11. Procedural Rules for Other Hearings

§1101. Compliance Hearing; Purpose; Scope; Burden of Proof

A. Pursuant to R.S. 37:2710, an applicant or licensee whose application for a credential or renewal of a credential is denied may petition the board for a compliance hearing.

B. The purpose of a compliance hearing is to provide a forum for the applicant or licensee to present documentary evidence through affidavits, court records, official records, letters, or other papers or things, along with sworn testimony to establish that the applicant in fact meets the lawful requirements for the application or for the retention or renewal of the credential.

C. In a compliance hearing, the burden of proof rests with the applicant or licensee to establish that they meet the criteria for the application or renewal of their credential or that the renewal was timely.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1103. Petition for Compliance Hearing

A. A compliance hearing is instituted by the timely filing of a petition for compliance hearing with the board. Any written request for a compliance hearing will be accepted as a petition under this Rule.

B. A petition for a compliance hearing must be filed with the board within 30 days after notice of an application or renewal denial is sent and must contain specific objections to the denial.

C. The administrator may reject a petition for a compliance hearing that does not comply with these rules or is untimely. If the administrator rejects a petition for a compliance hearing on grounds other than untimeliness, the administrator shall notify the applicant or licensee in writing and provide an extension of seven days within which the applicant or licensee may cure the defect in the petition.

D. All petitions for a compliance hearing received by the administrator and not rejected pursuant to subsection C shall be assigned a compliance hearing number in accordance with a numbering system prescribed by the administrator.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1105. Docketing of Compliance Hearings; Panels; Hearing Officer

A. Upon receiving a petition for a compliance hearing, the administrator shall docket the compliance hearing for the

next regularly scheduled board meeting and notify the applicant or licensee of the date and time of the hearing in writing. In the event the petition is received less than seven days prior to the next regularly scheduled board meeting, the administrator may, in their discretion and in consultation with the applicant or licensee, docket the compliance hearing for the following regularly-scheduled board meeting.

B. A compliance hearing shall be conducted before the limited panel assigned pursuant to §1024 of Chapter 10. However, in the event more than one compliance hearing is docketed for the same date, the administrator may constitute a second limited panel to conduct compliance hearings. When two limited panels are constituted for the same date, the administrator shall randomly assign the docketed compliance hearings to the panels. These two limited panels may meet simultaneously.

C. Prior to each compliance hearing, the limited panel shall designate one of its members as hearing officer. The hearing officer shall administer oaths, maintain order at the hearing, fix new hearing dates as required, and rule on other matters relating to the hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1107. Compliance Hearing; Record

A. The administrator will maintain a record of each compliance hearing.

B. The compliance hearing may be transcribed by a court reporter. If the applicant or licensee requests that the hearing be transcribed, the applicant or licensee shall pay such court reporter's fees.

C. The record shall consist of the applicant or licensee's application, letter of denial, any documents provided by the applicant or licensee, and the transcript of the hearing, if any.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1109. Compliance Hearing; Right to Counsel

A. An applicant or licensee may be represented by counsel at a compliance hearing.

B. The hearing panel may consult with the general counsel on any legal issues emerging from a compliance hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1111. Compliance Hearing; Decision

A. Upon conclusion of the applicant's or licensee's presentation of evidence, the hearing officer will deem the compliance hearing concluded and the matter submitted. The limited panel shall not receive any additional evidence or testimony once the matter is submitted.

B. Within 15 business days after the compliance hearing concludes, the panel will render its final decision in writing, including findings of fact and conclusions of law. The decision will be delivered by certified or registered mail, return receipt requested, to the applicant or licensee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1113. Compliance Hearing; Appeal from Decision of Limited Panel

A. In the event that the limited panel's decision is adverse to the applicant or licensee, the applicant or licensee may appeal to an en banc panel. To appeal, the applicant or licensee must submit a written notice of appeal to the administrator within 10 calendar days of mailing of the limited panel's decision. The notice must contain a brief statement as to the grounds for the appeal and the reason(s) the limited panel's decision was error.

B. Upon receipt of a timely filed notice of appeal, the administrator shall docket the appeal for the next regularly-scheduled board meeting and notify the applicant or licensee of the date and time of the hearing in writing. In the event the notice of appeal is received less than seven days prior to the next regularly-scheduled board meeting, the administrator may, in their discretion and in consultation with the applicant or licensee, docket the appeal for the following regularly-scheduled board meeting.

C. Appeals will be conducted on the record made before the limited panel, including the panel's findings of fact, conclusions of law, and recommendations. The en banc panel will review the findings of fact and conclusions of law of the limited panel and the evidence and exhibits as submitted, as well as any written submissions or assignments of error.

D. The chair will deem the appeal submitted once the en banc panel has had sufficient time to review the record and submissions and arguments of the parties, if any.

E. The en banc panel will have 30 calendar days from submission of the appeal to render a decision on the appeal. The decision shall be in writing and shall be transmitted to the applicant or licensee in the same manner as the original decision on the compliance hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1115. Miscellaneous Orders and Rules to Show Cause

A. When necessary to protect the public health, safety, or welfare against the unauthorized, unqualified, and improper practice of social work, or otherwise in furtherance of its duties under the Practice Act or this Part, the board may issue such orders or rules to show cause to any licensee or applicant as it deems necessary.

B. The board may not use this rule to circumvent any process described in La. R.S. 37:2727(G) or set forth in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1117. Declaratory Rulings

A. Any person subject to the Practice Act or this Part may petition the board for a declaratory ruling regarding the applicability of any portion of the Practice Act or this Part.

B. A petition for a declaratory ruling shall include all of the following:

1. the name of the person requesting the declaratory ruling;
2. the specific statute(s) or rule(s) upon which a declaratory ruling is requested;

3. a succinct statement of facts and circumstances upon which the board is requested to base its declaratory ruling; and

4. a request for a declaratory ruling.

C. The administrator shall receive all petitions for declaratory rulings and shall assign each a number in accordance with a numbering system prescribed by the administrator. Upon receiving a petition for declaratory ruling, the administrator shall docket the petition for the next regularly scheduled board meeting and notify the petitioner of the date and time of the hearing in writing. In the event the petition is received less than seven days prior to the next regularly scheduled board meeting, the administrator may docket the petition for the following regularly-scheduled board meeting.

D. Petitions for declaratory rulings shall be considered by the board in open session.

E. The board shall issue a declaratory ruling upon majority vote of those board members present and voting. The ruling shall be reduced to writing and issued in the name of the board. In any decision in which the board's decision was not unanimous, those board members deciding with the majority shall be noted in the decision.

F. The board may deny a petition for a declaratory ruling if the board determines:

1. the petition requests a declaratory ruling on matters outside the scope of the Practice Act or this Part;
2. the facts and circumstances upon which the board is requested to base its ruling are incomplete or unclear; or
3. the petition concerns an ongoing disciplinary matter, pending litigation, or a pending application.

G. The board's decision on a petition for declaratory ruling shall be rendered within 60 calendar days after the hearing on the petition.

H. All decisions on petitions for declaratory ruling shall be public record.

I. Nothing in this section shall prevent the board from responding to informal correspondence from applicants, licensees, or entities requesting information or clarification of board actions, policies, practices, or rules. Such correspondence shall not be deemed to constitute a petition for declaratory ruling unless the requirements of this section are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

Chapter 13. Continuing Education Requirements

§1301. Purpose

The purpose of continuing education is to protect the public by ensuring that social workers have formal opportunities to upgrade and update professional knowledge and skills, encouraging social workers to learn from other professionals, and assigning social workers to expand their professional resources network. Consequently, approved learning situations emphasize opportunities for professional interaction and relationship-building.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §317(A) and (B) (February 2000), amended LR

29:2385 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), amended and redesignated to §1301 by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1303. Continuing Education Approval Organizations

A. The board may delegate approval of continuing education programming to one or more continuing education approval organizations.

B. Any provider of social work services, professional social work organization, or school of social work approved by the Council for Social Work Education may apply to the Board to become a continuing education approval organization, provided that such organization must have a significant and continual affiliation with the social work profession to be approved.

1. The application must be submitted in writing on a form provided by the Board.

2. The application must be accompanied by no fewer than three letters of reference, on a professional letterhead and bearing an original wet or electronic (not typewritten) signature, from any of the following, none of which may be directly personally related to the applicant nor hold a personal or professional stake in the outcome of the application:

- a. a provider of social work services;
- b. a professional social work organization; or
- c. a school of social work approved by the Council for Social Work Education.

3. The application must succinctly state:

- a. the nature and purpose of the organization;
- b. the organization's connection to the social work profession;
- c. the timeframe for the organization to make a decision on continuing education submissions; and
- d. the fee structure the organization will use and the fees the organization will charge to evaluate continuing education submissions.

4. The application must be signed by the chief executive officer or agency head of the organization.

5. The application must include the name, credential, credential number, and curriculum vitae or resume of the social worker who will review and approve or deny continuing education submissions.

C. Only a licensed, certified, or registered social worker may review and approve or deny continuing education submissions on behalf of a continuing education approval organization. Clinical continuing education offerings may only be approved by a licensed clinical social worker.

D. Continuing education approval organizations must comply with this Chapter in evaluating continuing education submissions, including, without limitation, §1305 relating to approved educational offerings and assessment of continuing education programs.

E. The board's delegation of authority under this section shall be effective for three calendar years from the date the board approves the application.

F. The board may revoke its delegation of authority under this section to any continuing education approval organizations at any time and for any reason.

G. The board shall not discriminate against any person or organization seeking to become a continuing education approval organization based upon race, religion, creed,

national origin, age, sex, sexual orientation, gender expression, differing abilities, or political beliefs. No continuing education approval organization shall discriminate against any person or organization seeking approval of continuing education programming based upon race, religion, creed, national origin, age, sex, sexual orientation, gender expression, differing abilities, or political beliefs.

H. The board may audit any continuing educational approval organization by requiring the organization to submit documentation to the Board on all programs the organization approved in a collection year.

I. The board may charge an application fee not to exceed two hundred fifty dollars for applications and reapplications to become a continuing education approval organization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1305. Criteria for Approval of Continuing Education Offerings

Formally §317(M) and (P)

A. The following learning forums are approved for continuing education as long as they contain content applicable to social work practice:

1. in-person educational offerings and synchronous interactive webinars sponsored by or approved by social work licensing bodies, a Board authorized pre-approval organization, state and national professional social work organizations, and schools accredited by the Council on Social Work Education;

2. educational offerings sponsored by or offered by entities approved by the Association of Social Work Boards;

3. distance learning (teleconferences, telecourses, home-study courses and pre-recorded or internet courses) sponsored by entities listed in this section, or pre-approved by a Board-authorized pre-approval organization cannot exceed a total of 10 clock hours of the required 20 clock hours of continuing education required annually for renewal of social work credentials;

4. continuing education activities or academic courses provided by accredited schools of social work. Academic course work counts per actual class hour;

5. presentations of content applicable to social work practice at professional conferences, staff development meetings, and other appropriate forums in which the licensee is the primary presenter;

6. attendance at staff development presentations with content applicable to social work practice (such as a staff meeting with a formal and in-depth presentation on working with clients who present borderline symptoms, etc.). The presenter's name, credentials, date of presentation and nature of the content covered must be provided. Case based staffing meetings are not included as appropriate continuing education experiences;

7. attendance at professional social work meetings, Association of Social Work Boards (ASWB) item writing workshops, symposiums, panel discussions, or conferences sponsored by the professional associations suggested in this section. The dates and nature of content or consultation covered must be provided;

8. formal study groups of three or more participants. Licensees must submit names, addresses, telephone numbers and credentials of group members to the board. Study groups must maintain records of topics, attendance, meeting times, and presenters for audit purposes;

9. contracted professional consultation which the credentialed social worker receives. Licensees must provide the paid consultant's name, address, telephone number, credentials, and the dates and focus of the consultation;

10. preparation of substantial written material with content applicable to social work practice which requires literature search, research, and explication of social work content (such as writing a social work article or book for publication, or a major grant application). Specific information about the nature of the written work, the effort required, and the publisher or funding agency must be provided. These activities may be counted for no more than five hours continuing education.

11. reading books or journal articles with content applicable to social work and followed by a face-to-face discussion as part of an organized workshop. A maximum of one hour credit can be obtained from reading a book if the licensee signs a statement that they read the book, attended the discussion about the book, and passed the pre-test administered prior to the face-to-face discussion with at least 70 percent. The one-hour credit for reading is considered distance learning. Credit for the discussion counts as actual time spent in the discussion and counts as in-person continuing education.

12. viewing documentary film with content applicable to social work practice not deemed for the general public and followed by a face-to-face discussion. The film shall be pre-approved by the board and must rate a ten or higher on the Guide for Assessment of Continuing Education to qualify for continuing education credit;

13. independent study pre-approved by the board;

14. attendance at regular meetings of the board, for which social workers may receive credit for actual time spent attending the public portion of the meeting—one hour of this time will be designated as an ethics hour and all other time will be designated as general continuing education provided, however, that no social worker may receive more than ten hours of continuing education per collection period from attending meetings of the board or its committees;

15. attendance at meetings of the committees of the board, for which social workers may receive credit for actual time spent attending the meeting—the chair of the committee shall designate in advance the nature of the continuing education credit received by attendees, provided, however, that no social worker may receive more than ten hours of continuing education per collection period from attending meetings of the board or its committees.

B. Should the individual licensee make the determination that an education offering which is not pre-approved by one of the approval organizations has content applicable to social work practice, the Guide for Assessment of Continuing Education in this Section must be used. This document, as well as all the relevant course materials, and the certificate of completion must be maintained in the event the licensee is audited.

C. The following learning situations will not be accepted for continuing education credit:

1. banquet speeches;
2. non-social work content courses not directly related to enhancement of social work skills or performance as a social work employee. (Example: Computer, financial or business management courses designed to enhance the business of private practice);
3. staff orientation, administrative staff meetings and case management meetings;
4. book reports or critiques of professional journal articles; and
5. a continuing education offering that rates a zero in any category of the Guide for Assessment of Continuing Education in this Section.

D. Guide for Assessment of Continuing Education. As continuing education events vary across the categories listed below, the appropriateness of considering them as acceptable continuing education also varies. Continuing education approval organizations must use the criteria in this Subsection to evaluate continuing education offerings. An event must receive a total score (combination of all three sections) of at least 10 to be acceptable for continuing education to renew a social work credential. If any category below rates a zero, the education offering is not acceptable for social work continuing education.

PROGRAM CONTENT

(Clearly Acceptable)

- ___ 6) Mainstream social work knowledge, skills and values
- ___ 6) Specialized social work knowledge, skills and values
- ___ 4) Information from related fields that is useful for social work practice
- ___ 2) Developing areas that may lack strong research, support or clear application
- ___ 0) Content that is specifically not acceptable or not related to social work practice

(Clearly Not Acceptable)

PROGRAM PRESENTER

(Clearly Acceptable)

- ___ 5) Social worker with appropriate expertise in content area
- ___ 4) Related professional with ability to connect content to social work practice
- ___ 2) Lay-person (e.g., client) on the impact of needing/receiving services
- ___ 0) Presenter with no apparent professional qualifications nor link to social work practice

(Clearly Not Acceptable)

PROGRAM AUDIENCE

(Clearly Acceptable)

- ___ 4) Social work practitioners/students
- ___ 4) Interdisciplinary professional audience that may include social workers
- ___ 3) Audience presumed to be primarily from another profession (e.g., nursing)
- ___ 1) Audience open to the general public
- ___ 0) Audience presumed to be primarily the general public

(Clearly Not Acceptable)

Total Score ___ (add score from each section to get Total Score)

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C and (G) and 37:2714.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §317(M)(P)(O) (February 2000), amended and redesignated to §1305(A)(B)(C) and (D) by the Department of Health, Board of Social Work Examiners LR 51:

§1307. Continuing Education Teaching Credit

A. Continuing education credit may be earned through teaching in an approved continuing education activity, provided that the social worker is the primary presenter.

1. Presentations accompanied by thorough, high quality, readable, and carefully prepared written materials will qualify for continuing education credit on the basis of six hours of credit for each instructional hour of presentation. The continuing education approval organization must review the submitted materials for sufficiency in order for the presenter to qualify for credit under this Subparagraph.

2. Presentations accompanied by one- or two-page outlines or not accompanied by written materials will qualify for continuing education credit on the basis of three hours of credit per hour of presentation.

3. Repeat presentations qualify for one half of the credits available for the initial presentation.

4. In the event more than one social worker presents a continuing education presentation, teaching credit shall be divided among the number of presenters for each hour of presentation.

5. The social worker is responsible for securing and retaining appropriate documentation for teaching credit from the continuing education approval organization that approves the teaching credit.

B. Credit may also be earned through teaching a course in a Council on Social Work Education-accredited program.

1. A social worker will earn six hours of continuing education credit for each hour of academic credit awarded by the college or university for the course.

2. Repeat courses taught qualify for one half of the credits available for the initial course taught unless the material has been substantially changed or updated.

3. The social worker is responsible for securing and retaining appropriate documentation for teaching credit.

4. Credit will be awarded upon completion of the course.

C. Subject to the additional limitations of §1313 of this Chapter, no social worker may earn more than eighteen hours of continuing education credit per collection period through teaching.

D. Teaching credit awarded pursuant to this section will retain the designation of the material taught. For example, social workers giving a clinical continuing education presentation will receive clinical continuing education credit pursuant to this section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1309. Audit

A. The board may audit any credential social worker. Random audits ensure that the continuing education mandate is applied fairly to all credential social workers.

B. Social workers must keep records of continuing education experiences for at least one year and be able to explain the nature of the content covered. For audit purposes, only certificates of attendance, sign-in sheets signed by a representative of the sponsoring organization, or an original letter from the sponsoring organization will be accepted as proof of attendance for continuing education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §317(C) (D), and (E) (February 2000), amended LR 29:2385 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), amended and redesignated to §1309(A) and (B) by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1311. Collection Period

A. The collection period for continuing education hours is commensurate with the annual license, certificate, and registration renewal period. Continuing education must be completed, and proof of completion submitted to the Board no later than the last day of the renewal period.

B. Social workers may carry over up to ten surplus hours of continuing education from one collection period into a subsequent collection period. Hours will retain their designation in the subsequent collection period except for the following:

1. Ethics hours; and
2. BACS supervision hours.

C. The two-year collection period for ethics continuing education hours and clinical supervision training hours required to maintain board-approved clinical supervisor designation ends in even-numbered years with the close of the continuing education collection period. Social workers must complete these hours during the two years preceding the close of this collection period to be in compliance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1313. Distance or Virtual Learning Limit; Approval to Exceed

A. Social workers may not submit more than ten hours of continuing education via asynchronous distance or virtual learning or teaching in any collection period except as provided in this Section. Synchronous, interactive webinars are considered in-person learning and are not contemplated by this Section.

B. The board may grant a social worker approval to complete more than 10 hours of continuing education via asynchronous distance or virtual learning in the case of debilitating, disabling, or other medical conditions making travel impossible or extremely inconvenient, if the social worker resides outside of United States territories where no in-person continuing education is available, or for other good cause shown. The social worker shall provide satisfactory documentation for the grant of approval.

C. The board may, by motion adopted at a regular or special meeting of the board, temporarily suspend the limitations of this section in the event of a public emergency or other extenuating circumstances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

§1315. Pro-Rated Continuing Education for Initial Year of Credential

A. Continuing education hours are pro-rated as follows during the initial year of registration, certification or licensure.

Month Received	Hours Required
June, July, August	0
September, October, November	20
December, January, February	15
March, April, May	10

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §317(G) (February 2000), redesignated to §1315(A) by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 51:

§1317. Request for Modification of Continuing Education Requirements

A. Social workers seeking modification of generally applicable continuing education requirements pursuant to R.S. 37:2714(G) or this Chapter must submit a request in writing to the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:

Family Impact Statement

The proposed Rule have no known or foreseeable impacts on family formation, stability, autonomy. In particular, the proposed Rules have no known or foreseeable impacts on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rules.

Poverty Impact Statement

The proposed Rule have no known or foreseeable impact on child, individual or family poverty, as defined by R.S. 49:973(B), in relation to individual or community asset development. In particular there should no known or foreseeable effect on:

1. household income, assets, and financial security;
2. early childhood development and preschool through postsecondary education development;
3. employment and workforce development;
4. taxes and tax credits; or
5. child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule should have no known adverse impacts on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rules have no known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may send comments to Emily DeAngelo, 18550 Highland Road, Suite B, Baton Rouge, LA 70809 or by email to edeangelo@labswe.org. The deadline to submit comments is at 4 p.m. CST on February 10, 2025.

Public Hearing

A public hearing on the proposed Rules will be held on February 25, 2025, at the office of the Board of Social Work Examiners, 18550 Highland Road, Suite B, Baton Rouge, LA 70809 at 1 p.m. CST. A link will be provided on the Board’s website <https://www.labswe.org> 24 hours prior to the public hearing. All interested parties 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 Emily DeAngelo at (225) 756-3470 at least 72 hours prior to the hearing.

Emily DeAngelo
Administrator

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Credentials of Social Work Examiners

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The Louisiana State Board of Social Work Examiners (“Social Work Board”) will incur an approximate cost of \$213 per page to publish the notice and rule in the *Louisiana Register*. There are no other implementation costs or savings for state or local governmental units resulting from promulgation of this proposed rule change.

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

The proposed rule is anticipated to have the following effect on the Social Work Board’s revenue collections:

The proposed amendment to section 313 increases-the annual license renewal fees to \$100 for Licensed Clinical Social Workers (LCSWs), Licensed Master Social Workers (LMSWs), and Certified Social Workers (CSWs), and to \$50 for Registered Social Workers (RSWs). Additionally, the amendment increases the fee for written verification of a license, certificate, or registration to \$25. These changes are anticipated to increase revenues.

The proposed amendment to section 325, which authorizes certain social workers to elect emeritus status, may reduce the number of license renewals. The increase in revenue from higher annual renewal fees may be offset by social workers electing emeritus status, which has a lower fee compared to active license renewals. However, as there is no available data to estimate how many licensed social workers might choose emeritus status, the impact on revenue is expected to be minimal.

NOTICE OF INTENT

**Department of Health
Health Standards Section**

Behavioral Health Service Providers
Licensing Standards
(LAC 48:I.Chapter 56)

If license renewals include 1,800 Registered Social Workers (RSWs), 3,000 Certified Social Workers (CSWs) or Licensed Master Social Workers (LMSWs), and 4,400 Licensed Clinical Social Workers (LCSWs), including Board Approved Clinical Supervisors (BACS), revenue collections are anticipated to increase by approximately \$298,700 annually.

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

The proposed amendment to §305(D) reduces the number of hours of supervised postgraduate social work practice for licensed social workers pursuing clinical licensure after January 1, 2022, from 5,760 to 3,000. This reduction may benefit LMSWs by accelerating their pathway to licensure. Small businesses and non-governmental organizations employing Licensed Clinical Social Workers (LCSWs) could also benefit by being able to hire additional LCSWs to expand the clinical services they offer to clients.

The proposed enactment of section 307(E) authorizes LMSWs pursuing clinical licensure to take the LCSW examination up to six months before completing their required postgraduate supervision.

The proposed enactment of section 325 implements inactive status for licensed social workers not actively providing client services. Social workers in this status, for up to five consecutive years or a maximum of ten cumulative years, would have their annual continuing education requirement reduced from 20 hours to 10.

The proposed enactment of section 327 establishes emeritus (retired) status for licensed social workers who are disabled or at least 60 years old and have been credentialed for at least 30 years. This status reduces the annual continuing education requirement from 20 hours to 10 and sets the emeritus status fee at half of the regular license renewal fee.

The proposed enactment of section 509 authorizes telesupervision for social workers pursuing clinical licensure. Telesupervision is anticipated to provide economic benefits by reducing or eliminating costs associated with traveling to supervision meetings.

The proposed enactment of section 1311 allows up to 10 surplus continuing education hours completed during one collection period to carry over to the next collection period. It also permits continuing education hours to be earned by attending committee meetings.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed enactment of section 307(E), which allows early testing for LMSWs pursuing clinical licensure, may positively impact competition and employment. LMSWs who pass the LCSW examination before completing all licensure requirements could obtain LCSW positions earlier, increasing their employment opportunities and enhancing competition in the field. However, LMSWs will still be required to fulfill all licensure requirements, including supervised practice hours, before being officially licensed as an LCSW.

Emily DeAngelo
Administrator
2501#053

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

The Department of Health, Health Standards Section (the department) proposes to amend LAC 48:I.Chapter 56 and adopt §5612 and §5735 as authorized by R.S. 36:254 and R.S. 40:2151-2161. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq.

The department promulgated an Emergency Rule to amend the provisions governing the licensing of behavioral health service providers of opioid treatment programs in order to remove outdated eligibility criteria, expand the types of eligible practitioners, adjust the provisions related to take-home doses of medication, and include provisions for mobile dosing units (*Louisiana Register*, Volume 50, Page Number 1615). This proposed Rule is being promulgated to continue the provisions of the November 13, 2024 Emergency Rule.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 56. Behavioral Health Service Providers

Subchapter A. General Provisions

§5603. Definitions

Mobile Dosing Unit—a mobile unit that is established as part of, but geographically separate from, an opioid treatment program (OTP) parent facility from which appropriately licensed practitioners may dispense or administer medications for opioid use disorder or collect samples for drug testing or analysis.

OTP Practitioner—a physician, advanced practice registered nurse, nurse practitioner, or physician assistant who is currently licensed and in good standing to prescribe and/or dispense medications for opioid use disorders, and who is acting within the scope of all applicable state and federal laws and the individual’s professional license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1682 (September 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 43:1380 (July 2017), LR 46:587 (April 2020), LR 48:1277 (May 2022), LR 48:2755 (November 2022), LR 50:394 (March 2024), amended by the Department of Health, Health Standards Section, LR 51:

Subchapter B. Licensing

§5612. Change in License by Addition or Deletion of Services

A. Addition of Services to an Existing Behavioral Health Service Provider (BHSP) License

1. A BHSP with an active BHSP license, current and in good standing, may submit a request to add a service. The following information shall be submitted for consideration of this request:

- a. letter of intent;
- b. a completed BHSP license application that has add a service clearly marked;
- c. a facility need review approval letter, if applicable; and
- d. applicable nonrefundable fee for issuance of the new BHSP license.

B. Deletion of Services from an Existing BHSP License

1. A BHSP with an active BHSP license may submit a request to delete a service. The following documentation shall be submitted for consideration of this request:

- a. letter of intent;
- b. a completed BHSP license application that has delete a service clearly marked; and
- c. applicable nonrefundable fee for issuance of the new BHSP license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health, Health Standards Section, LR 51:

Subchapter I. Physical Environment

§5670. Mobile Units

A. - D. ...

NOTE: Repealed.

E. Only local governing entities (LGEs) and OTPs shall be authorized to be licensed as mobile units.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:1284 (May 2022), amended by the Department of Health, Health Standards Section, LR 51:

Subchapter O. Additional Requirements for Opioid Treatment Programs

§5725. Treatment

A. Client Admission Criteria. The program shall only admit clients that:

1. ...
2. meet the federal requirements regarding the determination that the client is currently addicted to opiates;
3. are verified by an OTP practitioner that treatment is medically necessary;
4. have had a complete physical evaluation by the client's or program's OTP practitioner before admission to the opioid treatment program; and
5. have had a full medical exam, including results of serology and other tests, completed within 14 days of admission.
6. Repealed.

B. - C.5. ...

D. Physical Evaluations/Examinations. The provider shall ensure that each client has a documented physical evaluation and examination by an OTP practitioner as follows:

1. - 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1721 (September 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 48:1288 (May 2022), amended by the Department of Health, Health Standards Section, LR 51:

§5727. Additional Staffing Requirements

A. - A.4.e.iii. ...

5. OTP Practitioner. There shall be an OTP practitioner who is on-site as needed or on-call as needed during hours of operation.

a. the OTP practitioner shall have a current, valid unrestricted license to practice in the state of Louisiana. The OTP practitioner shall be on-site or on-call as needed during the hours of operation to provide the following services:

- i. examine member for admission ;
- ii. prescribe medications;
- iii. - ix. ...

6. Medical Director

a. ...

b. the medical director shall provide the following services:

- i. - ii. ...
- iii. participate in the documentation of reviews of treatment plan every 90 days in the first two years of treatment; and
- iv. participate in discharge planning.
- v. Repealed.

A.7. - B.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1721 (September 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 48:1288 (May 2022), amended by the Department of Health, Health Standards Section, LR 51:

§5729. Medications

A. ...

B. Take-Home Dose(s)

1. The provider shall ensure that:

a. determinations for take-home dose(s), the factors considered, and the rationale to provide unsupervised doses of methadone are made by the client's OTP practitioner, and are documented in the client's record when each take-home dose is authorized;

b. date and recommended dosage are documented in the client's record and the methadone central registry; and

c. take-home dose(s) are ordered by the OTP practitioner operating within the scope of his/her license.

2. In determining which clients may receive unsupervised doses, the OTP practitioner shall consider, among other pertinent factors that indicate whether the therapeutic benefits of unsupervised doses outweigh the risks, the following criteria:

a. absence of active substance use disorders, other physical or behavioral health conditions that increase the risk of client harm as it relates to the potential for overdose, or the ability to function safely;

b. regularity of attendance for supervised medication administration;

- c. absence of serious behavioral problems that endanger the client, the public, or others;
- d. absence of known recent diversion activity;
- e. whether take-home medication can be safely transported and stored; and;
- f. any other criteria that the OTP practitioner considers relevant to the client's safety and the public's health.

g. - h. Repealed.

3. If it is determined that a client is safely able to manage unsupervised doses of methadone, the OTP practitioner operating within the scope of his/her license shall determine the number of take-home doses authorized within the following dispensing restrictions.

- a. During the first 14 days of treatment, the take-home supply shall be limited to 7 days of take home doses.
- b. From 15 days of treatment, the take-home supply shall be limited to 14 days of take home doses.
- c. From 31 days of treatment, the take-home supply provided to a client shall not exceed 28 days of take home doses at a time.
- d. - f. Repealed.

4. **Loss of Privilege.** Positive drug screens at any time for any drug other than those prescribed shall require a new determination to be made by the OTP practitioner regarding take-home doses. Operating within the scope of his/her license, the OTP practitioner shall determine the actual number of take-home doses and whether the client is allowed to maintain take-home medication.

5. **Exceptions.** The provider shall request and obtain approval for a federally identified exception to the take-home dispensing restrictions from the State Opioid Treatment Authority (SOTA). Any exception shall be for an emergency or severe travel hardship.

C. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1722 (September 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 43:1388 (July 2017), LR 48:1289 (May 2022), amended by the Department of Health, Health Standards Section, LR 51:

§5731. Client Records

A. In addition to the general requirements for client records, each client record shall contain:

1. - 5. ...

6. documentation of approval of any exception to the dispensing restrictions of take-home doses and the OTP practitioner's justification for such exception; and

7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1723 (September 2015), amended by the Department of Health, Health Standards Section, LR 51:

§5735. Mobile Dosing Unit (MDU) Services

A. Prior to providing MDU services, an OTP shall apply to HSS to add MDU services to an existing BHSP license.

B. OTPs with a current, valid license in accordance with Subchapter O, a current, valid certification by the Substance Abuse and Mental Health Services Administration in

accordance with 42 CFR §8.11, and SOTA approval may establish a MDU that shall be authorized to dispense Federal Drug Administration-approved medications for opioid use disorder (MOUD), and to collect samples for drug testing or analysis for the purpose of treatment.

1. SOTA approval shall be required for the following criteria:

- a. floor plan;
- b. policies and procedures;
- c. location;
- d. schedule;
- e. staffing; and
- f. training.

2. HSS shall receive directly from SOTA:

- a. evidence of approval to establish a MDU; and
- b. a copy of a SOTA-approved MDU location schedule.

C. The MDU shall be established as part of, but geographically separate from, the OTP's parent facility, and the MDU shall maintain all state and federal confidentiality requirements.

D. **Location**

1. MDUs shall dispense MOUD from a location within the same LDH region as the OTP's parent facility.

2. The MDU location shall be limited to one location each day that shall be approved by the SOTA.

3. The MDU shall be returned and secured at the OTP's parent facility upon completion of all MDU services each day.

E. **Storage and Maintenance**

1. All medication shall be transported and removed directly from the MDU upon completion of all MDU services each day, and stored at the OTP's parent facility.

2. OTPs shall notify the SOTA in advance of any scheduled maintenance of the MDU, and within 24 hours of any incidents.

F. OTPs shall have a Drug Enforcement Administration (DEA) and SOTA-approved contingency plan for MDUs as follows:

1. safeguarding MDU controlled substances in the event the MDU breaks down or is disabled for any reason (e.g., mechanical failure, accident, fire); and

2. ensuring that the controlled substances are removed, secured, and accounted for at the OTP's parent facility.

G. OTPs shall maintain all DEA-mandated reports and records at the parent facility, and shall provide copies to the SOTA upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2758 (November 2022), amended by the Department of Health, Health Standards Section, LR 51:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule may have a positive impact on family functioning, stability, and autonomy as described in R.S. 49:972 by expanding the availability of critical medications for the treatment of opioid use disorder.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will not have an impact on small businesses.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule may have an impact on staffing level requirements or qualifications required to provide the same level of service, and may have an impact on the direct or indirect cost to the provider and on the provider's ability to provide the same level of service as described in HCR 170. However, the full impact is indeterminable since there is no way to determine how many BHSPs will choose to provide mobile dosing unit services.

Public Comments

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on March 3, 2025.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on February 10, 2025. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on February 26, 2025 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after February 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Michael Harrington, MBA, MA
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Rural Health Clinics Licensing Standards

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed Rule will have no programmatic fiscal impact to the state other than the cost of promulgation in FY 24-25. It is anticipated that \$1,296 will be expended in FY 24-25 for the state's

administrative expense for promulgation of this proposed Rule and the final Rule.

This proposed Rule amends the provisions governing the licensing of behavioral health service providers (BHSPs) of opioid treatment programs in order to remove outdated eligibility criteria, expand the types of eligible practitioners, adjust the provisions related to take-home doses of medication, and include provisions for mobile dosing units. This may result in additional Medicaid expenditures by an indeterminable amount due to a potential increase in the types of behavioral health services provided.

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

It is anticipated that implementation of this proposed Rule may result in an increase in state revenue collections in FY 24-25, FY 25-26, and FY 26-27, since behavioral health service providers (BHSPs) who chose to provide additional behavioral health services will be required to pay a nonrefundable application fee. However, the total increase in state revenue collection is indeterminable as there is no way to estimate how many BHSPs will be impacted by this proposed rule.

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

It is anticipated that implementation of this proposed Rule may result in an increase in state licensure application fees for BHSP who choose to provide additional behavioral health services.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed Rule has no known effect on competition and employment.

Tasheka Dukes, RN
Deputy Assistant Secretary
2501#059

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Health Standards Section

Behavioral Health Service Providers
Licensing Standards
(LAC 48:I.5603 and 5617)

The Department of Health, Health Standards Section (the department), proposes to amend LAC 48:I.5603 and §5617 as authorized by R.S. 36:254 and R.S. 40:2151-2161. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The department proposes to amend the provisions governing the licensing of behavioral health service providers (BHSPs) in order to comply with the requirements of Act 737 of the 2024 Regular Session of the Louisiana Legislature relative to the acceptance, with certain exceptions, of documents, records, photos, testimonials, and other significant health-related collateral information provided by a client's family member, caregiver, friend, or healthcare professional.

In compliance with Act 737, the department hereby proposes to amend the provisions governing the licensing of BHSPs in order to adjust requirements for the minimum contents of client records. The department also proposes to

revise the definition of Clinically Managed Low Intensity Residential Treatment Services, and to update licensing standards related to deemed status.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 56. Behavioral Health Service Providers

Subchapter A. General Provisions

§5603. Definitions

* * *

Clinically Managed Low Intensity Residential Treatment Services (ASAM Level 3.1)—a residential program that offers at least five hours a week of a combination of low-intensity clinical and recovery-focused services for substance-related disorders. Services may include individual, group and family therapy, medication management and medication education, and treatment is directed toward applying recovery skills, preventing relapse, improving emotional functioning, promoting personal responsibility and reintegrating the client into the worlds of work, education, and family life.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1682 (September 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 43:1380 (July 2017), LR 46:587 (April 2020), LR 48:1277 (May 2022), LR 48:2755 (November 2022), LR 50:394 (March 2024), amended by the Department of Health, Health Standards Section, LR 51:

Subchapter B. Licensing

§5617. Deemed Status

A. - B.3....

C. If deemed status is approved, accreditation may be accepted as evidence of satisfactory compliance with this Chapter in lieu of conducting periodic re-licensure surveys.

D. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1692 (September 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 43:1381 (July 2017), amended by the Department of Health, Health Standards Section, LR 51:

Subchapter D. Provider Operations

§5637. Client Records

A. - A.15. ...

B. Contents. The provider shall ensure that a client record, at a minimum, contains the following:

1. - 2. ...

3. all pertinent medical, psychological, social and other therapeutic information, including:

a. - n. ...

o. discharge summary;

p. documents, records, photos, testimonials, and other significant health-related collateral information provided by a client's family member, caregiver, friend, or healthcare professional, except in the event the healthcare professional or healthcare provider believes that acceptance and inclusion of the information in the medical record is not relevant to the client's care or treatment; and

q. other pertinent information related to client as appropriate.

4. - 4.c....

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2151-2161.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1697 (September 2015), amended by the Department of Health, Health Standards Section, LR 51:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on the direct or indirect cost to small businesses.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, the direct or indirect cost to the provider, or to the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, Post Office Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on March 3, 2025.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, Louisiana 70821-0629; however, such request must be received no later than 4:30 p.m. on February 10, 2025. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on February 26, 2025 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, Louisiana. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after February 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Behavioral Health Service Providers
Licensing Standards**

**Title 48
PUBLIC HEALTH—GENERAL
Part 1. General Administration**

**Subpart 7. Human Immunodeficiency Virus/AIDS
Chapter 136. Administration and Treatment of Human
Immunodeficiency Virus**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

It is anticipated that implementation of this proposed Rule will have no programmatic fiscal impact to the state other than the cost of promulgation in FY 24-25. It is anticipated that \$756 will be expended in FY 24-25 for the state's administrative expense for promulgation of this proposed Rule and the final rule.

This proposed Rule amends the provisions governing the licensing of behavioral health service providers (BHSPs) in order to adjust the requirements for the minimum contents of client records. Additionally, this proposed Rule revises the definition of Clinically Managed Low Intensity Residential Treatment Services, and updates licensing standards related to deemed status. This proposed Rule may result in additional costs to the state since additional re-licensure surveys may be required.

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

It is anticipated that implementation of this proposed Rule will have no impact on state revenue collections in FY 24-25, FY 25-26, or FY 26-27.

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

It is anticipated that implementation of this proposed Rule will not result in costs to providers in FY 24-25, FY 25-26, or FY 26-27.

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

This proposed Rule has no known effect on competition and employment.

Tasheka Dukes, RN
Deputy Assistant Secretary
2501#060

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Office of Public Health**

Administration and Treatment of
Human Immunodeficiency Virus
(LAC 48:I.Chapter 136)

Under the authority of R.S. 37:1218.2, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Department of Health intends to promulgate Chapter 136 (Administration and Treatment of Human Immunodeficiency Virus) of Subpart 7 (Human Immunodeficiency Virus/AIDS) of Part 1 (General Administration) of Title 48 (Public Health—General) of the Louisiana Administrative Code (LAC).

The proposed Chapter is necessary to implement the procedures and statewide protocol by which a Louisiana-licensed pharmacist (“pharmacist”) shall follow to dispense and/or administer pre-exposure and post-exposure

§13601. Definitions

A. As used in this Chapter, the following terms shall, unless the context clearly requires otherwise, have the following meanings:

CDC—the Centers for Disease Control and Prevention, U.S. Department of Health and Human Services

CDC Guidelines—with respect to PrEP, means the guidelines set forth in the CDC’s “Preexposure Prophylaxis for the Prevention of HIV Infection in the United States – 2021 Update Clinical Practice Guideline”, and with respect to PEP, means the guidelines set forth in the CDC’s “Updated Guidelines for Antiretroviral Postexposure Prophylaxis After Sexual, Injection Drug Use, or Other Nonoccupational Exposure to HIV—United States, 2016”.

§13603. Scope

A. This statewide protocol establishes the rules a Louisiana-licensed pharmacist (“pharmacist”) shall follow to dispense and/or administer pre-exposure and post-exposure prophylaxis medications for the prevention of HIV infection pursuant to Act 711 of 2024 (R.S. 37:1218.2).

B. Pharmacists may dispense and administer HIV pre-exposure prophylaxis (PrEP) and post-exposure prophylaxis (PEP) medication(s) approved by the U.S. Food and Drug Administration (FDA) to eligible patients according to the indications and recommendations in the current guidelines from the U.S. Centers for Disease Control and Prevention (CDC). Contraindications should be considered before the medication is dispensed and/or administered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§13605. Pre-Requisites

A. Prior to dispensing and/or administering HIV prevention medication per this protocol, the pharmacist must:

1. hold a current pharmacy license that is in good standing to practice in the state of Louisiana;
2. be a current practicing pharmacist;
3. have earned a Doctor of Pharmacy (PharmD) degree or have at least five years of experience as a licensed registered pharmacist (RPh);
4. maintain professional liability insurance of at least \$1,000,000 or participate in the Louisiana Patient’s Compensation Fund, which allows a provider to have financial responsibility for the first \$100,000 of exposure per claim whether through insurance or security deposit and enroll in the Fund for the excess coverage and be under an umbrella of the cap on damages;
5. review this statewide protocol and related standing order;
6. complete a training program as described in this protocol;

7. ensure that all pharmacy staff comply with patient privacy and confidentiality throughout appointment-setting, counseling, record-keeping, and dispensing and/or administration of PrEP/PEP therapies; and

8. obtain written patient consent for pharmacist-initiated HIV PrEP/PEP-related testing, counseling, administration, and referrals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§13607. Records

A. Pharmacists shall maintain a patient record for all services and treatments dispensed and/or administered under this protocol.

B. If the patient provides written consent to do so, a process shall be in place for the pharmacist to communicate with the patient's primary care provider (PCP) for the PCP to document changes to the patient's medical record.

C. If the patient does not provide written consent to the release of information; does not have a PCP; or is unable to provide contact information for their PCP, the pharmacist shall provide the patient with a written record of the medications dispensed and/or administered; lab test(s) ordered; and all test results. If the patient's PCP is not notified, the pharmacist shall document the reason(s) no notification occurred.

D. Pharmacists shall maintain a signed attestation of review of this statewide protocol signed by the participating pharmacist with their training certifications. This attestation must be made available upon request of the LABP.

E. Pharmacists shall comply with all record-keeping requirements adopted by the Louisiana Board of Pharmacy (LABP) in LAC 46:LIII.Chapter11.Subchapter B.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§13609. Training

A. Training Content. Prior to independently dispensing and/or administering HIV prevention therapies to a patient pursuant to R.S. 37:1218.2, the pharmacist shall successfully complete a training program approved by the Accreditation Council for Pharmacy Education (ACPE). This training may take place as a stand-alone course or as part of an equivalent curriculum-based training program offered by an ACPE-accredited school of pharmacy. At a minimum, the training shall consist of the criteria set forth in Subsection A.1 of this Section, and the pharmacist must also complete the training required to administer medications in the state of Louisiana adopted by the LABP as set forth in Subsection A.2 of this Section.

1. Training Program. A pharmacist must complete a training program specific to the use of HIV pre-exposure and post-exposure prophylaxis (PrEP/PEP) that includes instruction covering, at a minimum, the following areas:

a. CDC Guidelines for PrEP/PEP;

b. screening for HIV and sexually transmitted infections (STIs) and laboratory testing to determine PrEP/PEP eligibility;

c. pharmacology, safety, efficacy, drug-drug interactions, and monitoring parameters for HIV medications used for PrEP/PEP;

d. strategies for serving historically marginalized patient populations and sexual assault survivors or related trauma-informed care;

e. culturally sensitive patient counseling information; and

f. strategies to access manufacturer and government financial assistance programs for HIV PrEP/PEP.

2. Administration of Medications Training. A pharmacist shall complete all training requirements required by the LABP and the State of Louisiana in LAC 46:LIII. prior to administering any medication.

3. Continuing Education Requirement. A pharmacist shall complete at least one hour of continuing education in the subject of HIV prevention every two years, to be reported to the LABP as per continuing education requirements.

B. Training Certification and Documentation

1. A pharmacist shall maintain documentation of their successful completion of the required training as set forth in Section 13609 of this Chapter for a period of at least two years following any patient interactions involving dispensing and/or administering HIV prevention medications that are subject to this rule per LAC 46:LIII.1121. Documentation maintained pursuant to this subsection must be made available upon request of the LABP.

2. Training obtained as part of an equivalent curriculum-based training program can be documented by written certification from a member of the educational institution or program from which the licensee graduated stating that the training is included within the institution's curriculum required for graduation at the time the pharmacist graduated, or within the coursework that the pharmacist completed. Documentation maintained pursuant to this subsection must be made available upon request of the LABP.

3. Sanctions

a. The failure of a pharmacist to obtain and maintain the education, training, and continuing competency described in this Section prior to administering medications to patients or supervising other pharmacy personnel administering medications to patients shall constitute a violation of R.S. 37:1218.2 and R.S. 37:1241(A)(3) and shall subject the pharmacist to disciplinary action by the LABP.

b. The failure of a pharmacist to provide documentation of their education, training, and continuing competency to administer medications when requested by the board shall constitute a violation of R.S. 37:1218.2 and R.S. 37:1241(A)(22) and shall subject the pharmacist to disciplinary action by the LABP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§13611. HIV Pre-Exposure Prophylaxis (PrEP)

A. Under this protocol, pharmacists may assess for HIV status and high-risk behaviors in which pre-exposure prophylaxis against HIV would be warranted.

B. The pharmacist may dispense and/or administer the patient a 30-day supply of any antiretroviral agent that is a currently FDA-approved or CDC-recommended medication or regimen for HIV pre-exposure prophylaxis, according to the following criteria.

1. The patient is 17 years of age or older, is (or is planning to become) sexually active or is at risk for sharing injection or drug preparation equipment, and has a desire to start a PrEP regimen.

2. Evidence of baseline negative HIV status is obtained, as documented by a pharmacist either:

a. conducting a blood rapid test, which provides same-day results;

b. drawing blood (serum) and sending the specimen to a laboratory for an antigen/antibody test, with results being received within seven days before initially dispensing and/or administering PrEP; or

c. accepting patient's outside documentation of a non-reactive blood rapid test or laboratory test with the patient's name (matching their legal identification) dated within seven days before initially dispensing and/or administering PrEP.

3. Neither oral swab testing nor patient self-report of negative status are acceptable for evidence.

C. Pharmacists must ask the following screening question.

1. Do you have existing kidney disease, or do you know if your kidney function is decreased for any reason?

a. If the answer is yes, the pharmacist shall urgently order or refer the patient for a blood test to confirm creatinine clearance. The pharmacist may accept patient-provided creatinine clearance test results dated within 12 months from another lab or provider.

i. If the patient's creatinine values are acceptable for oral PrEP therapy, the pharmacist may proceed through the rest of the protocol.

ii. If the patient's creatinine values do not meet oral PrEP therapy minimums according to CDC Guidelines, and the pharmacist is able to administer injectable PrEP therapy, the pharmacist may proceed through the rest of the protocol for injectable PrEP therapy.

iii. If the patient's creatinine values do not meet oral PrEP therapy minimums according to CDC Guidelines and does not desire injectable PrEP or the pharmacist is unable to administer injectable PrEP, the pharmacist shall refer to an appropriate provider.

3. The following patients should NOT be provided PrEP under this protocol and should be referred to a primary care provider for further action:

a. patients younger than 17 years of age;

b. patients with reactive baseline HIV tests;

c. patients with symptoms which could indicate acute HIV infection; or

d. patients on medications contraindicated with PrEP therapy selected.

4. A pharmacist may administer injectable PrEP therapy, pursuant to R.S. 37:1164 and the LAC 46.LIII.521.

5. Other/Repeated Labs: Follow CDC Guidelines.

a. The pharmacist is authorized to order recommended labs and perform necessary FDA-approved and CLIA-waived point-of-care tests for the patient OR to refer the patient to another provider to order lab work and accept results.

b. At the patient's request, PrEP refills will be authorized past the initial 30-day supply for oral or injectable therapy if recommended baseline and follow-up

testing are done according to CDC Guidelines as ordered by one of the above mechanisms.

6. Counseling shall include (at minimum):

a. instruction regarding proper medication use, adherence, schedule, and potential common and serious side effects (and how to mitigate them);

i. For injectable PrEP therapies: the long drug "tail" of gradually declining drug levels when discontinuing injections and the risk of developing a drug-resistant strain of HIV during this time;

b. description of signs/symptoms of acute HIV infection and recommended actions.

c. education on PrEP/PEP;

d. the necessity of follow up care with a primary care provider for usual care; and

e. the importance and requirement of testing for HIV, renal function, lipid profile, Hepatitis B, and other sexually transmitted infections, per CDC Guidelines.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§13613. HIV Post-Exposure Prophylaxis (PEP)

A. Post-Exposure Prophylaxis (PEP) is the use of antiretroviral drugs after a single high-risk event to decrease the risk of HIV seroconversion. PEP must be started as soon as possible to be effective and always within 72 hours of the possible exposure.

B. Under this protocol, pharmacists may assess patients 17 years of age and older for high-risk exposure to HIV and dispense an entire 28-day course of antiretroviral drugs if appropriate. PEP should only be provided for infrequent exposures.

C. Pharmacists must ask the following screening question:

1. Do you have existing kidney disease, or do you know if your kidney function is decreased for any reason?

2. If the patient has known kidney disease and can provide renal function test results within 12 months, the pharmacist may initiate a PEP regimen per CDC Guidelines.

3. If the patient has known kidney disease and cannot provide renal function test results within 12 months, the pharmacist shall urgently refer the patient to a provider who can see them to proceed with PEP initiation within 72 hours of possible exposure.

D. If the pharmacy is not able to provide care to the patient, or if the patient does not qualify for care at the pharmacy, the patient should be urgently referred to another provider.

E. Pharmacists shall follow CDC Guidelines. If the following criteria are met, HIV PEP is recommended:

1. the exposure has likely occurred within 72 hours of the patient's arrival at the pharmacy;

2. an FDA-approved blood rapid test has yielded a non-reactive result for HIV;

3. a blood rapid test is not available and PEP is otherwise indicated; or

4. the patient's vagina, rectum, eye, mouth or other mucous membrane, non-intact skin, or perforated skin (e.g., needle stick) came into contact with body fluids from a person with HIV within 72 hours before they sought care. If

the exposure source's HIV status is unknown, the pharmacist should make a case-by-case determination as to whether PEP should be initiated. Exposure types with the highest risk of transmission of HIV to be considered are:

- a. needle sharing during injection drug use;
- b. percutaneous needle stick; and
- c. receptive anal intercourse.

F. The following patients should not be prescribed PEP under this protocol and should be referred to an appropriate care provider for further action:

1. patients younger than 17 years of age;
2. patients who seek care more than 72 hours after potential exposure;
3. patients taking any contraindicated medications per guidelines and package insert information;
4. patients with reactive or indeterminate baseline HIV tests;
5. patients who are taking PrEP who report consistent adherence to their medication regimen; or
6. patients who indicate a history of chronic kidney disease without providing renal function test results dated within 12 months.

G. Other Considerations:

1. If the case involves a sexually assaulted person (including potential victims of human trafficking), pharmacists shall provide the patient with the information necessary to pursue a Sexual Assault Nurse Examiner (SANE) exam locally (each parish's SANE program is run through the coroner's office), as well as the contact information for their closest rape crisis center.

2. If a child (under 17 years of age) presents to the pharmacy with a request for PEP and is potentially a victim of child abuse, child protective services must be contacted at 1-855-4LA-KIDS (1-855-452-5437).

H. Medication options include all FDA-approved or CDC-recommended medications or regimens for PEP. Formulations, cautions, and dose adjustments for antiretroviral medications shall minimally follow the CDC guidelines and package insert information for all regimens.

I. Labs: follow CDC Guidelines for PEP.

1. All efforts should be made to obtain a non-reactive HIV test at baseline. However, the sooner PEP is initiated, the more effective it is. If the patient refuses to undergo HIV testing but is otherwise eligible for PEP under this section, the pharmacist may dispense PEP.

2. For patients who request PEP, pharmacists shall offer testing for other sexually transmitted infections or refer them to another provider for testing.

3. The pharmacist is authorized to order recommended labs for the patient OR to refer the patient to another provider to order lab work and accept results.

4. The pharmacist shall make every reasonable effort to follow up with the patient post-treatment regimen at 4-6 weeks to test for confirmation of negative HIV status and inform the patient that repeat HIV testing is recommended at three and six months as well.

J. counseling shall include (at minimum):

1. instruction on proper medication use, adherence, schedule, and potential common and serious side effects (and how to mitigate them);

2. description of signs/symptoms of acute HIV infection and recommended actions;

3. emergency contraception, when appropriate;
4. the importance of engaging in routine primary care;
5. the importance and requirement of follow-up testing for HIV, renal function, hepatic function, Hepatitis B and C, and other sexually transmitted infections, per CDC Guidelines; and
6. education about pre-exposure prophylaxis (PrEP) and the potential for future need.

AUTHORITY NOTE: Promulgated in accordance and R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§13615. HIV PrEP and PEP Documentation Requirements

A. Pharmacists shall document a focused assessment of the patient's eligibility for HIV PrEP/PEP following best practices and guidelines for preventing HIV according to CDC Guidelines.

B. Pharmacists shall document the patient's written consent for HIV PrEP/PEP-related testing, counseling, administration, recordkeeping, and referrals.

C. Pharmacists shall inform the patient's PCP of all test results and medications prescribed within 30 days of initiating HIV PrEP or PEP therapy with the patient's explicit written consent to do so.

D. If a patient does not consent to the release of their information or does not have a PCP, the pharmacist shall provide the patient with documentation of their test results and HIV PrEP or PEP medications and written information about providers and clinics from which they may seek ongoing care.

E. Pharmacists shall inform the Department of Health of any reactive HIV, Hepatitis B/C, or other sexually transmitted infection test results using the procedures adopted by the Louisiana Department of Health in LAC 51.II.Chapter 1.Section 107.

F. Pharmacists shall comply with all record-keeping requirements adopted by the Louisiana Board of Pharmacy in LAC 46.LIII.Chapter 11.Subchapter B. Sections 1119-1130.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§13617. Referral Requirements

A. Pharmacists shall refer patients with reactive HIV, STI, or Hepatitis B or C tests to an appropriate care provider for confirmatory testing and follow-up care as applicable and provide the patient with written information about appropriate providers and clinics in their desired geographical area.

B. Pharmacists who participate in this protocol shall immediately refer patients who display signs of acute HIV infection and designate such a referral as urgent with a linkage to and/or HIV care provider.

C. Pharmacists shall refer any female patients who become pregnant while on PrEP to an appropriate clinical care provider, including prenatal care.

D. For all patients who do not already have a PCP, pharmacists shall refer them to an appropriate provider, stressing the importance of routine primary care and health maintenance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§13619. Reimbursement

A. All health coverage plans, third-party administrators, and pharmacy benefit managers operating within the state of Louisiana shall establish the process for pharmacists to enroll as providers for the purposes of dispensing and/or administering HIV PrEP and/or PEP, equivalent to the process established for other providers.

B. A pharmacist authorized to provide any service relative to HIV PrEP and/or PEP shall be reimbursed at the same rate as any other participating healthcare provider providing such service in accordance with the patient's health coverage plan.

C. This Section shall not be construed to require a health coverage plan or a third-party administrator or pharmacy benefit manager to reimburse a pharmacist or pharmacy as an in-network or preferred provider.

D. The provisions of this Section may apply to coverage under a group or individual health coverage plan provided to a resident of this state regardless of whether the health coverage plan policy, contract, or other agreement is delivered, issued for delivery, or renewed in this state.

E. No health coverage plan, third-party administrator, or pharmacy benefit manager operating within the state of Louisiana shall deny any pharmacy the opportunity to participate in the PrEP/PEP program offered in this state in any manner that will restrain the right of a consumer to select a pharmacy of their choosing.

F. Manufacturer and government financial assistance programs for HIV PrEP and PEP exist for patients who are uninsured, underinsured, or who meet financial criteria.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§13621. Standing Order

A. The Louisiana Department of Health will issue a standing order in compliance with and under the authority of R.S. 37:1218.2 which shall be deemed a medical order for any FDA-approved or CDC-recommended HIV PrEP or PEP therapy, as long as all conditions of the statewide protocol for R.S. 37:1218.2 are met. This standing order shall be valid for one year from the date of issue.

B. Pharmacists dispensing and/or administering HIV PrEP or PEP medications may use the standing order to prepare the prescription and/or refill as necessary, provided that all other requirements and qualifications necessary to do so are complete.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1218.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;

3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

In accordance with Sections 978.1 through 978.8 of the Small Business Protection Act of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis/small business analysis on the Rule proposed for adoption, amendment or repeal. The impact of the proposed Rule on small businesses as defined in the Small Business Protection Act has been considered. Louisiana Department of Health does not expect that adoption of the proposed amendments will have an adverse economic impact on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on the proposed Rule. Such comments must be received no later than Monday, February 10, 2025 at close of business, 4:30 p.m., and should be addressed to Dr. Samuel Burgess, Director, STD, HIV, and Hepatitis Program, Bureau of Infectious Disease, Louisiana Department of Health, 1450 Poydras St., Suite 2136, New Orleans, LA 70112 or emailed to Dr. Burgess at samuel.burgess@la.gov.

Public Hearing

Interested persons may submit a written request to conduct a public hearing either by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on Monday, February 10, 2025. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 10 am on Thursday, February 27, 2025, in Room 117 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not

a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after Monday, February 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Michael Harrington, MBA, MA
Secretary

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

**RULE TITLE: Administration and Treatment of
Human Immunodeficiency Virus**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

There is an anticipated increased cost associated with this proposed rule to the Louisiana Medicaid Program for additional utilization of HIV PrEP and PEP medications to prevent HIV transmission, but the amount is indeterminable prior to implementation as there is insufficient peer-reviewed literature on which to base accurate projections. It is anticipated that HIV PrEP/PEP utilization will increase by an unknown amount due to the increased access points that this proposed rule affords in FYs 25, 26, and 27. If utilization increases, there may be a decrease in Medicaid participants becoming infected with HIV and a corresponding decrease in costs associated with HIV treatment medications and related medical problems that could offset the HIV PrEP and PEP costs in future fiscal years. There are no other anticipated implementation costs to other state or local governmental units.

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

To the extent that the Louisiana Medicaid Program experiences increased HIV PrEP and PEP utilization among its members, the state would draw additional federal funds (revenue) to cover those costs. This proposed rule is not expected to affect the revenue collections of other state or local governmental units.

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

The Pharmacist-Initiated HIV PrEP and PEP rules allow pharmacists to directly dispense or administer HIV PrEP and PEP medications to appropriate state residents. This could provide economic benefits to Pharmacies/Pharmacists.

Also, this proposed rule may result in cost savings for affected residents, as they would no longer need an additional provider visit and prescription to access HIV PrEP and PEP therapies. There are no other anticipated direct costs or economic benefits to small businesses or non-governmental groups associated with the Pharmacist-Initiated HIV PrEP and PEP rules.

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

The proposed rule has no estimated effect on competition and employment.

Tonya Joiner
Assistant Secretary
2501#049

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Office of Public Health**

Emergency Medical Services Professionals
(LAC 46:XXXVIII.Chapters 1-5)

The Department of Health, Office of Public Health, Bureau of Emergency Medical Services (LDH-OPH-Bureau of EMS) and the Louisiana Emergency Medical Services Commission (Commission) proposed to amend LAC 46:XXXVIII.Chapters 1-5 regarding emergency medical services professionals as authorized by R.S. 40:1131-1133.16 and R.S. 40:1141. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, 4.2. 49:950, et seq.

In compliance with Act 31 of the 2020 Second Extraordinary Session of the Louisiana Legislature, the LDH-OPH-BEMS and the Commission propose to amend the regulations governing the professional and occupational standards for emergency medical services professionals in order to: 1) clarify and align these provisions with the corresponding legislative authorities governing emergency medical services; 2) ensure that the provisions are consistent with the standard language used in other healthcare licensing regulations; and, 3) promulgate the provisions clearly and concisely in the *Louisiana Administrative Code*.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

**Part XXXVIII. Emergency Medical Services
Professionals**

Subpart 1. Rules of Procedure

Chapter 1. General

§101. Statement of Purpose/General Definitions

A. Purpose. The Louisiana Emergency Medical Services Commission is a legally created administrative commission acting within the governmental structure of the state and possessing legal power. To safeguard life and health of the citizens of Louisiana, the law governing the practice of Nationally Certified and State Licensed Emergency Medical Services professionals, Louisiana Revised Statutes of 1950, R.S. 40:1131 et seq., as re-enacted and amended, delegates to this commission the responsibility to establish and publish standards of out-of-hospital practice; to regulate the scope of practice of Emergency Medical Services practitioners, to discipline and regulate the practice of Emergency Medical Services professionals and to establish standards for educational programs preparing individuals for out of hospital practice.

B. General Definitions. The following words and terms shall have general applicability to their usage within the entirety of this Part.

Chair—the chairperson of the Louisiana Emergency Medical Services Commission.

Commission—the Louisiana Emergency Medical Services Commission as created under the Louisiana Department of Health pursuant to R.S. 40:1133.3.

Emergency Medical Personnel—EMS practitioners and certified ambulance operators.

Emergency Medical Services—a system that represents the combined efforts of various professionals and agencies to provide out-of-hospital emergency, urgent, preventive, and non-emergent care to the sick and injured.

EMS Medical Director—a physician (MD or DO) licensed by the Louisiana State Board of Medical Examiners who has responsibility and authority to ensure the quality of care and provide guidance for all medical aspects of EMS and who specializes in any of the following areas:

- a. family practice;
- b. internal medicine;
- c. general surgery;
- d. emergency medicine;
- e. emergency medical services;
- f. pediatrics; and
- g. general practice.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Emergency Medical Services Commission, LR 29:1821 (September 2003), amended by the Louisiana Department of Health, Office of Public Health, Bureau of Emergency Medical Services LR 50:246 (February 2024), repromulgated LR 50:988 (July 2024), amended LR 51:

§103. Duties of Emergency Medical Services Practitioners

A. A licensed emergency medical services practitioner may perform any of the following functions while caring for a patient at the scene of a medical or other emergency, or during the transport of a patient, under a protocol that has been approved by the emergency medical services practitioner's medical director:

A.1. - B.1. ...

C. In case of a life-threatening situation as determined by a licensed emergency medical services practitioner, such a person may render services, in accordance with one of the following protocols:

1. - 2.a. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 1133.5(9), and R.S. 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, Bureau of Emergency Medical Services, LR 50:246 (February 2024), repromulgated LR 50:989 (July 2024), amended LR 51:

Chapter 3. Licensure and Certification

§301. State Licensure and National Certification

A. State licensure by the Bureau of Emergency Medical Services is mandatory for practicing as a licensed emergency medical responder.

B. Except as may be otherwise provided by this Part or applicable law, national certification and state licensure are mandatory for practicing as a licensed emergency medical technician, advanced emergency medical technician, and paramedic.

C. - E.1. ...

2. The provisions of Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950 apply to individuals seeking reciprocity from another U.S. state or territory.

F. - K. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1131.2(E), R.S. 40:1131.1(A), R.S. 40:1133.5(9), R.S. 40:1133.6, R.S. 40:1141, R.S. 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Emergency Medical Services Commission, LR 29:1821 (September 2003), amended by the Department of Health, Office of Public Health, Bureau of Emergency Medical Services, LR 50:247 (February 2024), repromulgated LR 50:990 (July 2024), amended LR 51:

§303. Denial of Licensure, Reinstatement, or the Right to Practice EMS as a Student

A. Applicants for licensure, reinstatement, or the right to practice as an EMS student may be denied approval for licensure, reinstatement, receipt of a temporary permit, eligibility to continue in or enter into an education program (clinical or field internship aspects) for any of the grounds listed in §505.D of this Chapter.

B. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1131.1(E), R.S. 40:1133.1(A)and(E), R.S. 40:1133.5(9), R.S. 40:1133.7(1)and(2), R.S. 40:1133.4, and 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Emergency Medical Services Certification Commission, LR 29:1821 (September 2003), amended by the Department of Health, Office of Public Health, Bureau of Emergency Medical Services, LR 50:248 (February 2024), repromulgated LR 50:990 (July 2024), amended LR 51:

§306. Pre-Application Eligibility Determination

A. ...

1. The individual making the request shall provide to the commission and the bureau all pertinent information and documents pertaining to the conviction(s), including any information relevant to the factors provided in R.S. 37:2950. Any such request shall list and include all of the individual's convictions, regardless of jurisdiction and regardless of subsequent pardon or expungement, through the date of the request. After initial receipt of the request, the bureau may require that the individual submit additional pertinent information or documents.

2. ...

3. The individual making the request shall also provide to the commission and the bureau the individual's pertinent identifying information, including date of birth, social security number, and driver's license number.

4. ...

5. Within 45 days after receipt of the request and all pertinent information and documents, including additional information or documents requested by the bureau pursuant to A.1 of this Section, or within 45 days of receipt by the bureau of any criminal history report provided or requested by the individual, whichever is later, the bureau shall send notification to the individual concerning whether, based on the criminal information submitted, the individual is disqualified from receiving or possessing a license from the bureau. This determination, which may be disseminated to the requesting individual by email, shall be one of the following:

5.a. - 7. ...

B. The following information can be found on the bureau website and/or on the EMS license application:

1. the process by which the bureau investigates affirmative criminal history disclosures.

B.2. - C.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1131.1(E), R.S. 40:1133.1(A), R.S. 40:1133.5(9), R.S. 40:1133.16(D), and R.S. 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, Bureau of Emergency Medical Services, LR 50:249 (February 2024), repromulgated LR 50:991 (July 2024), amended LR 51:

§308. Criminal History Record and Identification

A. The commission and the bureau are entitled to and shall require submission of the criminal history record and identification files of the Louisiana Bureau of Criminal Identification and Information, located within the Louisiana Department of Public Safety and Corrections, of any person who is seeking an initial license as an emergency medical technician, advanced emergency medical technician or paramedic, or to be certified as an ambulance operator; and any person who answers affirmatively to any of the criminal history background questions on a license renewal application. In such situations, fingerprints and other identifying information of the applicant shall be required and submitted to the Louisiana Bureau of Criminal Identification and Information for qualification and registry.

A.1. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1131.1(E), R.S. 40:1133.(A)and(C), R.S. 40:1133.5(9), R.S.40:1133.7(1)and(2), and R.S. 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, Bureau of Emergency Medical Services, LR 50:250 (February 2024), repromulgated LR 50:992 (July 2024), amended LR 51:

Chapter 5. Disciplinary Proceedings; Alternative to Disciplinary Proceedings

§501. Definition of Terms Applying to EMS Practice as Used in This Chapter

Expanded Scope of Practice—those functions, procedures and activities which are currently not part of the approved National EMS curriculum, but have been approved by the EMS Commission as appropriate for the various levels of EMS practitioners.

Medical Interventions—all functions, activities, medications and medical treatments of therapeutic or corrective nature approved by the Bureau of EMS and the EMS Commission.

Mentally Incompetent—a court judgment of legal insanity or incompetence or a medical diagnosis indicating insanity or incompetence.

Other Causes—includes, but is not limited to:

- a. - h. ...
- i. misappropriating items or property of an individual, agency, or entity;
- j. - q. ...
- r. failure to cooperate with the commission or bureau, including by:
 - i. not furnishing in writing a full and complete explanation covering a matter requested in writing by the commission or bureau; or
 - ii. not responding to subpoenas or other lawful requests for information issued by the commission or bureau directly related to an investigation or disciplinary hearing regarding an individual;
- s. - t. ...
- u. physically harming, or attempting to physically harm, an individual without lawful justification;

v. engaging or attempting to engage in nonconsensual sexual acts, including solicitation of minors for sexual acts or for explicit photos or videos;

w. violating the reasonable expectation of privacy of an individual, including, but not limited to, taking or releasing/publishing explicit photographs or video without consent;

x. destruction or attempted destruction of the property of any person without consent;

y. engaging in conduct that harms, or poses a serious risk of harm to, the public or any individual.

Specialty Care Transport Paramedic—those individuals who have met the requirements as approved by the EMS Commission

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1133.4(A)(8) and R.S. 1133.5(9) and R.S. 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Emergency Medical Services Certification Commission, LR 29:1822 (September 2003), amended by the Department of Health, Office of Public Health, Emergency Medical Services Certification Commission and the Bureau of Emergency Medical Services, LR 50:250 (February 2024), repromulgated LR 50:993 (July 2024), amended LR 51:

§505. Proceedings against Licensed EMS Practitioners, Certified Ambulance Operators, Licensed EMS Practitioner Applicants or Certified Ambulance Operator Applicants

A. - D.3. ...

4. exhibiting incompetency or unfitness by reason of negligence, habit, or other cause;

5. - 9. ...

10. Repealed.

11. - 13. ...

14. Repealed.

15. violating or failing to conform to any requirement or provision of this Part;

16. intentionally falsifying any document related to license, emergency medical services education, or related to the care of the patient; or

17. aiding or abetting another person in the violation of any conduct proscribed under this Subsection.

E. - E.8. ...

9. Repealed.

10. - 15. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1133.4(A)(8), R.S. 40:1133.5(9), R.S. 40:1133.9, R.S. 40:1133.10, and R.S. 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Emergency Medical Services Certification Commission, LR 29:1823 (September 2003), amended by the Department of Health, Office of Public Health, Emergency Medical Services Certification Commission, LR 50:252 (February 2024), repromulgated LR 50:995 (July 2024), amended LR 51:

§511. Formal Disciplinary Action

A. - B. ...

1. The matter may be resolved without a formal administrative hearing by either a voluntary surrender of license, consent order, or settlement order. These actions shall constitute disciplinary action and shall be a public record of the commission. Except in cases of voluntary surrender, the commission shall publish the individual's

name, a brief description of the violation, and the disciplinary action.

C. ...

1. Any license surrender shall not be deemed to be an admission of the alleged facts of any pending investigation or complaint. The fact of license surrender while an individual is under investigation or has a pending disciplinary hearing shall be deemed a disciplinary action and the Commission shall publish the individual's name and the disciplinary action (i.e. voluntary surrender) in the same manner as other disciplinary actions.

C.2. - E.1.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1133.4(A)(8), R.S. 40:1133.5(9), and R.S. 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Emergency Medical Services Certification Commission, LR 29:1825 (September 2003), amended by the Department of Health, Office of Public Health, Emergency Medical Services Certification Commission, LR 50:254 (February 2024), repromulgated LR 50:997 (July 2024), amended LR 51:

§519. Definition of Terms Applying to EMS Practice as Used in This Chapter

* * *

Additional Acts—activities beyond those taught in EMS education programs. Additional acts are authorized by the commission through rules and regulations or declaratory statements interpreting the legal definition of EMS. Licensed and/or Certified EMS professionals are accountable for attaining and maintaining competency when performing approved additional acts.

* * *

Carrying Out the Medical Orders of a Physician Licensed in Louisiana—

1. licensed and/or certified EMS professionals may, based on their individual judgment of each situation, accept verbal orders initiated by a licensed physician, provided the order is related to the said practitioner's scope of practice;

2. licensed and/or certified EMS professionals may execute standing orders of a licensed physician.

* * *

Delegating EMS Interventions—committing or entrusting the performance of selected EMS tasks by the licensed and/or certified EMS professional to other competent EMS personnel in selected situations. The licensed and/or certified EMS professional retains the accountability for the total EMS care of the individual.

* * *

Expanded Scope of Practice—those functions, procedures and activities which are currently not part of the approved National EMS curriculum, but have been approved by the EMS Commission as appropriate for the various levels of EMS professionals.

* * *

Medical Interventions—all functions, activities, medications and medical treatments of therapeutic or corrective nature approved by the Bureau of EMS and the EMS Commission.

* * *

Specialty Care Transport Paramedic—those individuals who have met the requirements as approved by the EMS Commission.

Student EMS Professional—a person who is engaged in learning experiences in a program of study leading to

candidacy for license and/or certification to practice as a licensed and/or certified EMS professional. The term applies only when the person is participating in an integral part of the program of study.

Teaching of EMS—instructing EMS professional students and providing continuing EMS education to licensed and/or certified EMS professionals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2017.10.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Emergency Medical Services Certification Commission, LR 29:1828 (September 2003), amended LR 51:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule should have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on the proposed Rule. Such comments must be received no later than Monday, February 10, 2025 at COB, 4:30 pm, and should be addressed to Susan Bailey, Director, Bureau of Emergency Medical Services, Office of Public Health, Louisiana Department of Health, P.O. Box 4489, Baton Rouge, LA 70821-4489.

Public Hearing

Interested persons may submit a written request to conduct a public hearing either by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on Monday, February 10, 2025. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 10 a.m. on Thursday, February 27, 2025, in Room 117 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after Monday, February 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Michael Harrington, MBA, MA
Secretary

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

**RULE TITLE: Emergency Medical Services
Professionals**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The estimated implementation cost to the Bureau of EMS is approximately \$1,500 in FY 25 for the notice and rule publication in the *Louisiana Register*. There are no other estimated implementation costs or savings through state or local government units through promulgation of the proposed rule change.

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

There is not estimated impact on the revenue collections of state or local government units.

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

There are no anticipated economic benefits or losses resulting from the proposed rule.

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

There is not anticipated effect on competition and employment.

Susan F. Bailey
Director
2501#050

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Radiologic Technology Board of Examiners**

Radiologic Technologists
(LAC 46:LXVI.901, 1131, 1201, and 1205)

Notice is hereby given that the Radiologic Technology Board of Examiners, pursuant to the authority of the Louisiana R.S. 37:3207 and in accordance with the provisions of the Louisiana Administrative Procedures Act, R.S. 49:950 et seq., intends to amend its rules governing temporary permits, LAC 46:LXVI. The proposed Rule changes are made in conjunction with 37: § 3220 and § 1127, which allow for the promulgation of rules related to permits with specific purposes and restrictions as to the type of radiologic activities that may be engaged and the types of services that may be provided to patients. Many urgent care centers throughout the State have a dire need for Limited X-ray Machine Operators (LXMO), who may perform x-rays on patients treated in a private physician office, private clinic, and/or an urgent care center. In conjunction with its authority, the board has voted to promulgate rules to address the professional needs of medical providers in the State. The LXMO permits will be issued for a specified time frame and will apply only to persons who are working in a private physician office, private clinic, or urgent care center as outlined in these rules.

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

**Part LXVI. Radiologic Technologists
Chapter 9. General Provisions
§901. Definitions**

Limited X-Ray Machine Operator—an individual other than a radiologic technologist who performs diagnostic x-ray procedures on selected anatomical sites as noted in §1131.

Urgent Care Center—a walk in facility focused on the delivery of medical care for minor illnesses and injuries in an ambulatory setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37: 3207 and 3220

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:872 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 23:71 (January 1997), LR 38:97 (January 2012), LR 40:2263 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2189 (December 2016), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 51:

Chapter 11. Licensure

§1131. Limited X-ray Machine Operator Permit (LXMO)

A. The board may issue a temporary permit to an applicant seeking to practice as a limited x-ray machine operator for the purpose of obtaining the clinical experience requirements in order to qualify to sit for the required American Registry of Radiologic Technologists (ARRT) Limited Scope of Radiography certification examination.

1. Necessity of Limited X-ray Machine Operator Permit (LXMO)

a. No person shall assume or use the title or designation "limited x-ray machine operator" unless he holds a current permit in accordance with the provisions of these rules and regulations.

b. Every Limited x-ray machine operator shall have his permit at work. It shall be displayed or shall be on file. The permit shall be available for inspection at any time upon request by the board.

2. Scope of Practice for Limited X-ray Machine Operator (LXMO). The limited x-ray machine operator permit allows the individual to perform the following exams:

- a. chest;
- b. extremities;
 - i. upper—fingers, hand, wrist, forearm, elbow, humerus and shoulder girdle;
 - ii. lower—toes, foot, calcaneus, ankle, tibia/fibula, knee/patella, femur, and hip;
- c. abdomen;
- d. skull/sinuses;
 - i. skull;
 - ii. paranasal sinuses;
 - iii. facial bones (orbits, nasal bones);
- e. spine;
 - i. cervical spine;
 - ii. thoracic spine;
 - iii. lumbar spine;
 - iv. sacrum, coccyx, and sacroiliac joints.

3. Qualifications. To be eligible for a permit under this Chapter, an applicant shall:

- a. be at least 18 years of age;
- b. be of good moral character;
- c. have successfully completed a four-year course of study in a secondary school approved by the state Board of Elementary and Secondary Education, passed an approved equivalency test, or have graduated from a secondary school outside Louisiana having comparable approval;
- d. shall submit evidence of enrollment in an official LXMO program approved by the board;
- e. be a citizen of the United States or possess valid and current legal authority to work in the United States duly issued by the United States Citizenship and Immigration Services (USCIS) of the United States, Department of Homeland Security, under and pursuant to the Immigration and Nationality Act (66 stat. 163) and the commissioner's regulations thereunder (8 CFR);
- f. self-report any legal, regulatory, licensing, permitting, transgression, and/or accusation and the outcome of such proceedings to the board.

4. Exemption. A limited licensed Private Radiologic Technologist (PRT) with the Louisiana State Board of Medical Examiners who was licensed between January 1, 2025, and the effective date of this rule shall be issued a temporary permit to practice as a limited x-ray machine operator, however in order to obtain a two-year limited x-ray machine operator permit, the PRT must comply with the requirements as stated in this Rule.

5. Educational Requirements

a. An applicant shall have attended and successfully completed an educational program and formal training meeting the following standards in preparation for the position of limited x-ray machine operator prior to making an application for a permit:

- i. a board-approved course of radiological study and safety;
- ii. a board-approved clinical training program;
- iii. paid the applicable fees prescribed in these rules.

6. Application for Permit

a. Temporary Work Permit. Requests for application for a temporary permit form shall be requested and submitted to the state board.

b. Limited X-ray Machine Operator Permit. Requests for application for a Limited X-ray Machine Operator permit form shall be requested and submitted to the state board.

7. Follow-Up to Application Submission

a. Incomplete Applications. Applications which are received with incomplete data may cause postponement. "Incomplete notices" are provided to those who did not submit all information requested on the application form.

b. Finding of Ineligibility. If information is received indicating ineligibility, the applicant is notified of the deficiencies. The application is retained on an inactive basis and may be reactivated at the applicant's request whenever the requirements have been met. The application fee is not refundable, however, there is no additional charge for reactivating the application.

8. Modifications to Submitted Information

a. Address or Name Changes. If a temporary limited x-ray machine operator permit applicant must change the mailing address which was entered on the application form, the individual must inform the board in writing. Changes in the permitter's name are to be handled in the same manner, but must be accompanied by documentary evidence of the change (e.g., copy of marriage certificate, legal name change form, etc.).

9. Re-Examination

a. An applicant who fails to pass the ARRT examination in Limited Scope of Radiography within the issued one-year time frame of the temporary permit shall become ineligible for an extension of that temporary permit. The Board will hold the original application for permit up to one year with no additional fee.

10. Issuance of Limited X-ray Machine Operator Permit (LXMO). If the qualifications, requirements and procedures prescribed or incorporated by these rules and regulations are met to the satisfaction of the board, the board shall issue to the applicant a permit to engage in the practice of limited x-ray machine operation in the state of Louisiana.

a. The board may issue a temporary permit to an applicant seeking to practice limited x-ray machine operation for the purpose of obtaining the clinical experience requirements in order to qualify to sit for the required American Registry of Radiologic Technologists (ARRT) Limited Scope of Practice in Radiography certification examination, provided that the applicant:

i. has submitted a board approved clinical training agreement to the board;

ii. satisfies the applicable fees prescribed in these rules.

iii. upon payment a temporary one-year work permit shall be issued one time only and for the time listed on the temporary work permit.

b. The temporary permit issued under this section shall expire, and thereby become null and void and to no effect on the earliest of the following dates:

i. 12 months from the date on which it was issued;

ii. the date on which the board gives notice to the permit holder of its final action granting or denying issuance of a limited x-ray machine operator permit;

c. The temporary permit holder who has:

i. successfully and competently completed the required clinical training;

ii. has successfully passed the American Registry of Radiologic Technologists (ARRT) Limited Scope of Radiography exam for Louisiana will then be granted a two-year limited x-ray machine operator permit.

11. Renewal. The board will require that those limited x-ray machine operators applying for renewal of permits shall have, in the preceding two-year period, participated in and completed the continuing education requirements, and/or board-approved alternatives as set forth in these rules. Every person permitted under the provision of this Chapter, shall maintain certification and document of on-going compliance with the board.

12. Biannual Application for Permit Renewal

a. Notification for the renewal of the permit will be mailed to each limited x-ray machine operator whose permit to practice limited x-ray machine operation will expire that May 31 with the permit fee due. Renewal season is March 1 through May 31.

b. Notification for renewal of permit shall be mailed prior to expiration by the board to each person holding a permit issued under these rules and regulations. Such notification shall be mailed to the most recent address as reflected in the official records of the board.

c. The Limited x-ray machine operator is responsible for renewal in the event of not receiving mailed notification. Every limited x-ray machine operator permitted by this board shall renew his/her permit every two years upon application and payment of a renewal fee.

d. Limited x-ray machine operator permits issued under this Section which have expired may be renewed by the board. The Limited x-ray machine operator permit issued under this section shall expire, and thereby become null and void and to no effect on the earliest of the following dates:

i. 24 months from the date on which it was issued;

ii. the date on which the board gives notice to the permit holder of its final action granting or denying issuance of a Limited X-Ray Machine Operator Permit

B. LXMO Continuing Education Requirements

1. Any limited x-ray machine operator who fails to meet the continuing education requirements for renewal and pay appropriate fees by May 31 shall be placed on expired status. The limited x-ray machine operator shall no longer be considered as holding a valid permit in the state of Louisiana.

2. Limited X-ray Machine Operator. Twelve hours of continuing education credits must be earned per permitting term to meet the continuing education requirements. Credits earned in excess of 12 per permitting term may not be carried over into the next permitting term.

3. Documentation. A limited x-ray machine operator is required to maintain proof of participation in continuing education activities and is required to attest to this participation on the form provided. Said documentation shall be submitted to the board as part of the renewal process. Failure to provide documentation acceptable to the board will result in an expired status. The board will accept copies of documents. Original documents shall be kept by the limited x-ray machine operators for two years after the end of the permitting term for the purpose of further verification should the board choose to audit the permittees' submissions.

C. Permitting Term Schedule. Since the permitting term is defined as that period from June 1 of the renewal or issuance of permit year to the second May 31 to occur after that date, the continuing education credits must be earned in the two years prior to the second occurrence of May 31.

D. Expiration of Limited X-ray Machine Operator Permit. Every permit issued by the board under this Chapter, the expiration date of which is not stated thereon or provided by these rules, shall become null and void on May 31, of the second year following the year of issuance. The timely submission of an accurate and complete application for renewal of a permit, appropriate documentation of completion of required continuing education hours and payment of appropriate fees shall operate to continue the expiring permit pending issuance of the renewal permit.

E. Complaint. If a complaint is made to the board, the board shall notify the limited x-ray machine operator of the complaint and determine if there should be any action taken on the permit issued under this section. The board shall require the permit holder to abide by a code of ethics adopted by the board.

F. Applicants for LXMO Renewal Who Fail to Meet CE Requirements. A limited x-ray machine operator who applies for renewal of permit, but who fails to meet the renewal requirements within the previous permitting term, will automatically be transferred to an expired status. Individuals who are listed as having an expired status, due to failure to meet these renewal requirements, will be published on the website managed by the board and will be reported in response to any inquiries regarding the limited x-ray machine operator's status with the Louisiana State Radiologic Technology Board of Examiners.

1. A limited x-ray machine operator whose permit has been placed on expired status for failure to meet continuing education requirements may be returned to an approved status by payment of the appropriate fees and expenses as specified in this section and completing the required continuing education hours in the six months (on or before December 31) following the May 31 expiration date and paying the delinquency fee. Any hours completed or other requirements met while the permit is expired may not be used to meet the continuing education requirements for the subsequent permit term.

G. Minimum Standards for the Accreditation of LXMO Education Programs. Limited x-ray machine operator programs must be approved by the board. The licensed technologist and/or program director shall submit evidence of compliance with minimum standards of education for the accreditation of educational programs to the board upon forms provided by the board.

H. LXMO Code of Ethics. A LXMO Code of Ethics will be adopted by the board and shall be sent to each limited x-ray machine operator candidate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207 and 3220.

HISTORICAL NOTE: Promulgated by the Department of Health, Radiologic Technology Board of Examiners, LR 51:

Chapter 12. Continuing Education Requirements

§1201. Definitions

* * *

Active Status—radiologic technologists or limited x-ray machine operators who maintain their license or permit by submitting appropriate continuing education, paying an initial or renewal fee, and are listed in good standing with the LSRTBE.

Advanced Level CPR—Repealed.

* * *

Approved Continuing Education Activity—an educational activity which has received approval through a recognized continuing education evaluation/mechanism.

1. Other activities that meet the definition of an approved continuing education activity are the approved entry-level exams. Examples are:

- a. ARRT examination in radiography;
- b. ARRT examination in Limited Scope of Radiography for Limited X-ray Machine Operator permits only
- c. ARRT or NMTCB examination in nuclear medicine technology;
- d. ARRT examination in radiation therapy technology;
- e. MDCB examination in dosimetry;
- f. ARDMS examination in diagnostic medical sonography; vascular technology or diagnostic cardiac sonography.

2. The advanced-level examinations considered acceptable continuing education activity are:

- a. ARRT examination in cardiovascular; interventional technology;
- b. ARRT examination in mammography;
- c. ARRT examination in computed tomography;
- d. ARRT examination in magnetic resonance imaging;
- e. other ARRT examinations as developed and implemented.

3. Within their licensing period, technologists who pass an entry-level examination for a discipline in which they are not certified and for which they are eligible, or one of the advanced-level examinations that they have not previously passed and for which they are eligible, have met the continuing education requirement for that licensing period.

CAMRT—Canadian Association of Medical Radiation Technologists.

Category A and A+ Credit—educational activity which is planned, organized, and administered to enhance the knowledge and skills of the licensed or permitted individual and provides services to patients, the public, or medical profession.

Continuing Education (CE)—educational activities which serve to improve and expand the knowledge and skills underlying professional performance that a radiologic technologist or limited x-ray machine operator uses to provide services for patients, the public or the medical profession. A contact hour credit is awarded for each 50 to 60 minute educational activity. Activities longer than one hour will be assigned whole or partial CE credit based on the 50-minute hour. Educational activities of 30 to 49 minutes of duration will be awarded half a credit. An activity that lasts less than 30 minutes will receive no credit.

Continuing Education (CE) Activity—a learning activity that is planned, organized, and administered to maintain and enhance the professional knowledge and skills underlying professional performance that a technologist or limited x-ray machine operator uses to provide services for patients, the public, or the medical profession. Activities meeting this definition may qualify as either category A or A+ credit depending upon whether they have been submitted to review and approval.

* * *

Eligible for Renewal Status—a radiologic technologist or limited x-ray machine operator who has completed all requirements for the renewal of a Louisiana radiologic technologist license or limited x-ray machine operator permit is considered to be eligible for renewal status.

Expired Status—a radiologic technologist or limited x-ray machine operator who fails to meet the continuing education requirements for renewal and pay appropriate fees by May 31 shall be placed on expired status. The radiologic technologist or limited x-ray machine operator shall no longer be considered as holding a valid license or permit in the state of Louisiana.

Inactive Status—classification of license or permit where the LSRTBE waives renewal fees to those licensees or permitted individuals who confirm in writing to the board that they are not actively employed in the state of Louisiana as radiologic technologists or limited x-ray machine operators.

* * *

Permitting—the process of granting a permit attesting to the demonstration of limited qualifications in a profession.

Permitting Term—the LSRTBE issues permits to limited x-ray machine operators for two-year terms. All renewal permits are issued on June first and expire on May 31 of the second year of its issuance.

Recognized Continuing Education Evaluation Mechanism (RCEEM)—Repealed.

* * *

Temporary Permit for Limited X-ray Machine Operator—a LSRTBE issued permit that is granted to qualified applicants for one year.

Temporary Permit for Radiologic Technologists— a LSRTBE issued permit that is granted to qualified individuals for 90 days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37: 3207 and 3220.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:178 (February 1995), amended LR 23:71 (January 1997), LR 40:2264 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2190 (December 2016), amended by the Department of Health, Radiologic Technology Board of Examiners LR 51:

§1205. Continuing Education Requirements

A. Radiologic technologist, nuclear medicine technologist, radiation therapy technologist and fusion technologist must complete 24 hours of continuing education credits must be earned per licensing term to meet the continuing education requirements. Credits earned in excess of 24 per licensing term may not be carried over into the next licensing term. The continuing education requirement is independent of the number of licenses held by an individual (i.e., a radiologic technologist certified in both radiography and radiation therapy technology needs only 24 credits).

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207 and 3220.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:180 (February 1995), amended LR 23:71 (January 1997), LR 40:2264 (November 2014), amended LR 42:2190 (December 1), LR 40:2264 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners LR 51:

Family Impact Statement

After considering R.S. 49:972, it is anticipated that the proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

It is anticipated that the proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973.B. In particular there is no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

After considering HCR 170 of the 2014 Regular Legislative Session, it is anticipated that the proposed Rule should not have any known or foreseeable impact on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to the Executive Director, Louisiana State Radiologic Technology Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002, or via email to execdirector@lsrtbe.org. Comments will be accepted until 3 p.m. on February 10, 2025.

Public Hearing

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to the Executive Director, Louisiana State Radiologic Technology Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002, or via email to execdirector@lsrtbe.org; however, such request must be received no later than 3 p.m. on February 10, 2025. Any person wishing to attend should call to confirm that a hearing is being held by calling 504-838-5231.

Hollie Taranto, M.B.A., R.T. (R)
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Radiologic Technologists

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The estimated implementation costs for the Louisiana State Radiologic Technology Board of Examiners are approximately \$1,500 in FY 25 for the notice and rule publication in the *Louisiana Register*. There are no other estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change.

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

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

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

There are no anticipated economic benefits or losses resulting from the proposed rule.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)

There is no anticipated effect on competition and employment.

Hollie Taranto
Executive Director
2501#069

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Insurance
Office of the Commissioner**

**Regulation 21—Special Policies and Provisions:
Prohibitions, Regulations, and Disclosure Requirements
(LAC 37:XIII.Chapter 69)**

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950, et seq, hereby gives notice of its intent to repeal Regulation 21—Special Policies and Provisions: Prohibitions, Regulations, and Disclosure Requirements.

The purpose of Regulation 21 was to protect the Louisiana insurance-buying public and the insurers from the effect of sales of certain types of insurance policies which experience has shown, in this and other states, has not been in the public interest. Regulation 21 is being repealed because existing statutory language provides sufficient guidance, and regulatory clarification is no longer necessary. Therefore, it is being repealed in its entirety.

**Title 37
INSURANCE**

Part XIII. Regulations

Chapter 69. Regulation 21—Special Policies and Provisions: Prohibitions, Regulations, and Disclosure Requirements

§6901. Policy Directive Number Seven to All Companies Authorized to Write Life Insurance in the State of Louisiana

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:162(C) and 22:163. Recodified to R.S. 22:751 and 22:753.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, October 1, 1962, repealed LR 51:

Family Impact Statement

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed repealed regulation should have no measurable impact upon the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of Their Children. The proposed repealed regulation should have no impact upon the rights and authority of parents regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed repealed regulation should have no direct impact upon the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed repealed regulation should have no direct impact upon family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed repealed regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed repealed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

Poverty Impact Statement

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed repealed regulation should have no effect on household income assets and financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed repealed regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed repealed regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed repealed regulation should have no effect on taxes and tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed repealed regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The impact of the proposed repealed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed repealed regulation is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed repealed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed repealed regulation should have no measurable impact upon small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed repealed regulation should have no measurable impact upon small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed repealed regulation should have no measurable impact upon small businesses.

NOTICE OF INTENT

Department of Public Safety and Corrections Office of State Police

Approval of Instruments to Conduct Blood Alcohol
Analysis by Breath Samplings (LAC 55:I.501)

The Department of Public Safety and Corrections, Office of State Police, in accordance with R.S. 32:663 and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend LAC 55:I.501—Approval of Instruments to Conduct Blood Alcohol Analysis by Breath Samplings. This amendment removes the Instrument Intoxilyzer 5000. The Intoxilyzer 5000 is no longer in use. It also removes the breath analysis specialist and the applied technology director as those positions no longer exist.

Title 55

PUBLIC SAFETY

Part I. State Police

Chapter 5. Breath and Blood Alcohol Analysis Methods and Techniques

Subchapter A. Analysis of Breath

§501. Approval of Instruments to Conduct Blood Alcohol Analysis by Breath Sampling

A. After the Louisiana Department of Public Safety and Corrections has approved a prototype breath testing device as an acceptable model for chemical analysis in blood alcohol testing by breath sampling it shall be necessary for each individual instrument of the approved model to be inspected and approved for use by the Office of State Police, Applied Technology Unit, and an instrument certification form shall be maintained for each individual instrument in the Applied Technology Unit. For the Intoxilyzer 9000, each individual instrument shall be inspected, checked, and certified once every six months by the breath analysis supervisor, breath analysis instructor specialist, or applied technology specialist of the Applied Technology Unit and a recertification form shall be maintained in the Applied Technology Unit. A copy of this certificate may be filed with the clerk of the applicable court in the respective parish in which each device is used for blood/breath testing, and this copy shall be prima facie evidence as to the proper working order of the instrument. The inspecting breath analysis supervisor, breath analysis instructor specialist, or applied technology specialists permit number shall also be affixed to this certificate. Any manufacturer of any apparatus, device, or equipment made for the purpose of analyzing the alcoholic contents of the blood by breath sampling may request the Applied Technology Unit to approve such apparatus, device or equipment. The Applied Technology Unit will consider such a request upon submission of such information, instructions for use, exemplars and other pertinent data as the Applied Technology Unit may request. Before any blood/breath alcohol testing will be approved it must have undergone inspection and testing by the Applied Technology Unit. This period of testing and evaluation is for the purpose of assuring that an instrument is free of any design error, malfunction or operating problems and accurately and consistently determines the percent by weight by volume of alcohol in the blood at the time the test is

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed repealed regulation should have no measurable impact on small businesses; therefore, there is no less intrusive or less costly alternative method of achieving the purpose of the proposed regulation.

Provider Impact Statement

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed repealed regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed repealed regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed repealed regulation will have no effect.

Public Comments

Interested persons who wish to make comments may do so by writing to Jacob Carter, Staff Attorney, the Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, or by faxing comments to (225) 342-1632, or electronically at regulations@ldi.la.gov. Comments will be accepted through the close of business, 4:30 p.m., February 10, 2025.

Timothy J. Temple
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Regulation 21—Special Policies and Provisions: Prohibitions, Regulations, and Disclosure Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in implementation costs or savings to the state or local governmental units. The proposed rule is being repealed. The rule was implemented to standardize the forms used in the billing and reimbursement of health care, reduce the number of forms utilized, and increase efficiency in the reimbursement of health care through standardization. There is insufficient legal authority at this time to support Regulation 21; therefore, it is obsolete and being repealed in its entirety.

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

The proposed rule will have no impact on revenue collections of state or local governmental units.

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

The proposed rule will have no costs and/or economic benefits to directly affected persons, small businesses, or non-governmental groups. The proposed rule is obsolete and is being repealed in its entirety.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule will have no effect on competition and employment.

Chris Cerniauskas
Chief of Staff
2501#052

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

administered by utilizing the 2100:1 correlation between alcohol in the breath and alcohol in the blood in accordance with the *Uniform Vehicle Code*.

B. Approval of Instrumentation. The following is the instrument approved by the Louisiana Department of Public Safety and Corrections, the Office of State Police, Applied Technology Unit for analysis of breath specimens for the determination of the blood alcoholic content therein.

1. Intoxilyzer 9000, manufactured by CMI, Inc., a subsidiary of MPD, Inc. Every Intoxilyzer 9000 which has been certified and placed in operation in Louisiana is now and has been continuously, since the original certification, an approved instrument for the analysis of breath specimens for the determination of blood alcoholic content.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:663.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of State Police, LR 4:390 (October 1978), amended LR 6:660 (November 1980), amended by the Department of Public Safety and Corrections, Office of State Police, LR 11:256 (March 1985), LR 14:362 (June 1988), repromulgated LR 14:441 (July 1988), amended LR 17:672 (July 1991), repromulgated LR 17:795 (August 1991), amended LR 18:1266 (November 1992), amended by the Department of Public Safety and Corrections, Office of State Police, Applied Technology Unit, LR 38:1992 (August 2012), amended by Department of Public Safety and Corrections, Office of State Police, LR 51:

Family Impact Statement

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.
5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. the effect on household income, assets, and financial security.
2. the effect on early childhood development and preschool through postsecondary education development.
3. the effect on employment and workforce development.
4. the effect on taxes and tax credits.
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jason Hessick, General Counsel—Louisiana Department of Public Safety and Corrections, Office of State Police, 7979 Independence Blvd., Baton Rouge, LA 70806. All comments must be submitted no later than the end of business day, central time zone, February 10, 2025.

Jared David
Sergeant

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Approval of Instruments to Conduct Blood Alcohol Analysis by Breath Samplings

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Department of Public Safety (DPS), Office of State Police proposes to amend Section 501 (Approval of Instruments to Conduct Blood Alcohol Analysis by Breath Sampling) of Part I, Chapter 5 of Title 55 (Public Safety) of the Louisiana Administrative Code. The proposed rule removes language referring to positions that no longer exist and an instrument that is no longer utilized within the department.

Specifically, this rule:

- Removes the Applied Technology Director and Breath Analysis Specialist positions from the list of positions authorized to inspect, check, and certify each individual Intoxilyzer 9000 instrument.
- Removes the Intoxilyzer 5000 instrument from the list of breath-testing devices acceptable for chemical analysis in blood alcohol testing by breath sampling.

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

There is no anticipated effect on revenue collections of state or local governmental units.

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

There is no anticipated cost or benefit to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

Jared David
Sergeant
2501#054

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Public Safety and Corrections Office of State Police

General Administrative Requirements (LAC 55:I.1505)

The Department of Public Safety and Corrections, Louisiana State Police, in accordance with R.S. 40:1472.8 and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend LAC 55:I.1505(J) General Administrative Requirements. This Rule requires applicants for an explosives license to provide two fingerprint cards as part of the application process. This Rule change updates the Title 55, as Office of State Police no longer accepts fingerprint cards; applicants must now submit to background investigations through IdentiGO.

Title 55

PUBLIC SAFETY

Part I. State Police

Chapter 15. Explosives Code

Subchapter A. General

§1505. General Administrative Requirements

A. - I. ...

J. Each manufacturer, dealer-distributor, user, blaster, or handler shall possess a valid and subsisting license issued by the Office of the Deputy Secretary of Public Safety Services, in accordance with the provisions of R.S. 40:1472.1 through 40:1472.19. The Department shall execute a thorough background investigation, including, but not limited to a criminal history records check of every applicant for the purpose of verifying or renewing the qualifications of the applicant. Costs incurred by the Department for conducting a background investigation and criminal history records check shall be borne by the applicant.

K. - L.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1472.1 et seq.

HISTORICAL NOTE: Filed by the Department of Public Safety, Office of State Police, at the Office of the State Register, 1974, promulgated and amended LR 10:803 (October 1984), amended by the Department of Public Safety and Corrections, Office of State Police, Transportation and Environmental Safety Section, Explosive Control Unit, LR 22:1230 (December 1996), amended by the Department of Public Safety and Corrections, Office of State Police, LR 34:2674 (December 2008), LR 35:491 (March 2009), LR 36:550 (March 2010), LR 40:2609 (December 2014), LR 45:281 (February 2019), LR 51:

Family Impact Statement

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.
5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. the effect on household income, assets, and financial security.
2. the effect on early childhood development and preschool through postsecondary education development.
3. the effect on employment and workforce development.
4. the effect on taxes and tax credits.
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jason Hessick, General Counsel—Louisiana Department of Public Safety and Corrections, Office of State Police, 7979 Independence Blvd., Baton Rouge, LA 70806. All comments must be submitted no later than the end of business day, central time zone, February 10, 2025.

Christopher Adams
Commander

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: General Administrative Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Department of Public Safety (DPS) proposes to amend Section 1505 (General Administrative Requirements) of Part I, Chapter 15 of Title 55 (Public Safety) of the Louisiana Administrative Code. The proposed rule updates language to align with current practice. Specifically, this rule removes the outdated requirement of fingerprint cards using ink on a piece of paper for a manufacturer, dealer- distributor, user, blaster, or handler of explosives.

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

There is no anticipated effect on revenue collections of state or local governmental units.

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

The proposed rule changes will result in no impact to persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

Christopher Adams
Command Technician
2501#004

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Public Safety and Corrections
Office of State Police**

Maintenance Inspection for the Intoxilyzer 9000
(LAC 55:I.516)

The Department of Public Safety and Corrections, Louisiana State Police, in accordance with R.S. 32:663 and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend LAC 55:I.516—Maintenance Inspection for the Intoxilyzer 9000. This amendment removes applied technology director, as the position no longer exists. **Title 55**

PUBLIC SAFETY

Part I. State Police

**Chapter 5. Breath and Blood Alcohol Analysis
Methods and Techniques**

Subchapter A. Analysis of Breath

§516. Maintenance Inspection for the Intoxilyzer 9000

A.1. Maintenance inspection shall be performed on a routine basis at least once every six months by the breath analysis supervisor, breath analysis instructor specialist, or applied technology specialist. Items to be inspected shall include, but not be limited to the following:

- a. clean instrument;
- b. check printer operation;
- c. check breath tube inlet hose.

2. In event repair work is needed, it shall be recorded in detail.

B. In the event of a natural disaster, the applied technology supervisor may extend the certification period of the affected instruments to not more than 180 days after the current recertification anniversary date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:663.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Applied Technology Unit, LR 38:1994 (August 2012), Promulgated by the Department of Public Safety and Corrections, Office of State Police LR 51:

Family Impact Statement

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

- 1. the effect on stability of the family.
- 2. the effect on the authority and rights of parents regarding the education and supervision of their children.
- 3. the effect on the functioning of the family.
- 4. the effect on family earnings and family budget.
- 5. the effect on the behavior and personal responsibility of children.

6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

- 1. the effect on household income, assets, and financial security.
- 2. the effect on early childhood development and preschool through postsecondary education development.
- 3. the effect on employment and workforce development.
- 4. the effect on taxes and tax credits.
- 5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on the following:

- 1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
- 2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
- 3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jason Hessick, General Counsel—Louisiana Department of Public Safety and Corrections, Office of State Police, 7979 Independence Blvd., Baton Rouge, LA 70806. All comments must be submitted no later than the end of business day, central time zone, February 10, 2025.

Jared David
Sergeant

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

**RULE TITLE: Maintenance Inspection for the
Intoxilyzer 9000**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Department of Public Safety (DPS), Office of State Police proposes to amend Section 516 (Maintenance Inspection for the Intoxilyzer 9000) of Part I, Chapter 5 of Title 55 (Public Safety) of the Louisiana Administrative Code. The proposed rule removes language referring to a position that no longer exists within the department.

Specifically, this rule:

- Removes the Applied Technology Director role from the list of positions who perform maintenance inspections on the Intoxilyzer 9000.
- Replaces the Applied Technology Director with the Applied Technology Supervisor as the individual who may extend the certification period of an instrument in the event of a natural disaster.

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

There is no anticipated effect on revenue collections of state or local governmental units.

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

There is no anticipated cost or benefit to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

Jared David
Sergeant
2501#058

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Public Safety and Corrections
Office of State Police**

**Operator Qualifications
(LAC 55:I.503)**

The Department of Public Safety and Corrections, Office of State Police, in accordance with R.S. 32:663 and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend LAC 55:I:503—Operator Qualifications. This amendment removes the Instrument Intoxilyzer 5000. The Intoxilyzer 5000 is no longer in use.

Title 55

PUBLIC SAFETY

Part I. State Police

**Chapter 5. Breath and Blood Alcohol Analysis
Methods and Techniques**

Subchapter A. Analysis of Breath

§503. Operator Qualifications

A. At the time of application for certification as an operator, an individual must:

1. be an employee of a Louisiana or federal law enforcement agency;
2. have successfully completed training established by and be certified by the Peace Officers Standards and Training Council (POST) or the Federal Law Enforcement Training Center (FLETC);
3. be at least 18 years of age;
4. be a high school graduate or satisfactorily pass the general education development (GED) test or an equivalent or higher educational background;
5. attain a score of 75 percent or better on a 16-hour operator's training course conducted by the applied technology unit. Course material to be covered will be taken from the Training Manual for the Intoxilyzer 9000. However, if an individual has already successfully completed a training course in chemical testing, the individual may attend a specified course in the operation of the Intoxilyzer 9000. To successfully complete the 16-hour training course and be certified to conduct breath analysis, the individual must:

a. obtain a 75 percent score on the written examination covering course material;

b. obtain a 75 percent score on the actual operation of the instrument and practical examination (running of an unknown alcohol solution). Both the written and the practical examination will be made up by the instructors of the Applied Technology Unit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3270 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of State Police, LR 4:390 (October 1978), amended LR 6:663 (November 1980), amended by the Department of Public Safety and Corrections, Office of State Police, LR 11:256 (March 1985), LR 14:362 (June 1988), repromulgated LR 14:442 (July 1988), amended LR 17:672 (July 1991), repromulgated LR 17:796 (August 1991), amended LR 27:1929 (November 2001), LR 32:1906 (October 2006), LR 38:2562 (October 2012), LR 38:2937 (November 2012), LR 51:

Family Impact Statement

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.
5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. the effect on household income, assets, and financial security.
2. the effect on early childhood development and preschool through postsecondary education development.
3. the effect on employment and workforce development.
4. the effect on taxes and tax credits.
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jason Hessick, General Counsel—Louisiana Department of Public Safety and Corrections, Office of State Police, 7979 Independence Blvd., Baton Rouge, LA 70806. All comments must be submitted no later than the end of business day, central time zone, February 10, 2025.

Jared David
Sergeant

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Operator Qualifications**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Department of Public Safety (DPS), Office of State Police proposes to amend Section 503 (Operator Qualifications) of Part I, Chapter 5 of Title 55 (Public Safety) of the Louisiana Administrative Code. The proposed rule removes a course offering and training materials related to an instrument no longer utilized within the department.

Specifically, this rule:

- Removes an optional course in the operation of the Intoxilyzer 5000 for individuals who already successfully completed training in chemical testing.
- Removes the Chemical Test for Intoxication Training Manual and the Training Manual for the Intoxilyzer 5000 from the list of material covered on an operator's training course.

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

There is no anticipated effect on revenue collections of state or local governmental units.

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

There is no anticipated cost or benefit to directly affected persons, small businesses, or non-governmental groups.

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

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

Jared David
Sergeant
2501#055

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Public Safety and Corrections
Office of State Police**

Permits (LAC 55:I.509)

The Department of Public Safety and Corrections, Louisiana State Police, in accordance with R.S. 32:663 and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend LAC 55:I:509—Permits. This amendment removes the breath alcohol testing field supervisors and the applied technology director as those positions no longer exist.

Title 55

PUBLIC SAFETY

Part I. State Police

**Chapter 5. Breath and Blood Alcohol Analysis
Methods and Techniques**

Subchapter A. Analysis of Breath

§509. Permits

A. Upon determining the qualification of individuals to perform such analysis and duties, and after submitting an application for certification, the Louisiana Department of Public Safety and Corrections shall issue permits which shall be effective for the following periods with respect to classification.

1. Operator's Certification

a. Operators shall be certified for a period of two years following successful completion of the 16-hour operator's training course. These permits may be renewed after a refresher course given by the Applied Technology Unit or any other agency approved by the Applied Technology Unit.

b. In addition to being certified on any instrument currently approved by the Applied Technology Unit, an operator may also attend a specified course for certification on any new instrument that may be approved by the Applied Technology Unit. These permits shall also be in effect for a period of two years.

2. Instructors. Instructors shall be certified for a period of five years. However, once he is no longer involved in a chemical testing program, his certification shall terminate and then only be recertified after he has once again become involved in a chemical testing program and demonstrated his knowledge of instructions to the applied technology supervisor.

3. Maintenance. Once a breath analysis supervisor, breath analysis instructor specialist, or applied technology specialist is initially certified, his permit shall remain effective for the duration of his employment.

B. In the event of an emergency such as a natural disaster, the Applied Technology Unit may extend the permit card expiration date for up to an additional 180 days. The extension would only apply to the permits that would expire during the time the disaster occurred.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:663.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of State Police, LR 4:392 (October 1978), amended LR 6:663 (November 1980), amended by the Department of Public Safety and Corrections, Office of State Police, LR 11:257 (March 1985), LR 14:363 (June 1988), repromulgated LR 14:443 (July 1988), amended LR 17:674 (July 1991), repromulgated LR 17:797 (August 1991), amended LR 27:1931 (November 2001), amended by the Department of Public Safety and Corrections, Office of State Police, Applied Technology Unit, LR 32:110 (January 2006), LR 32:110 (January 2006), LR 38:1993 (August 2012), LR 51:

Family Impact Statement

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.
5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. the effect on household income, assets, and financial security.
2. the effect on early childhood development and preschool through postsecondary education development.
3. the effect on employment and workforce development.
4. the effect on taxes and tax credits.
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jason Hessick, General Counsel—Louisiana Department of Public Safety and Corrections, Office of State Police, 7979 Independence Blvd., Baton Rouge, LA 70806. All comments must be submitted no later than the end of business day, central time zone, February 10, 2025.

Jared David
Sergeant

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Permits

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Department of Public Safety (DPS), Office of State Police proposes to amend Section 509 (Permits) of Part I, Chapter 5 of Title 55 (Public Safety) of the Louisiana Administrative Code. The proposed rule removes language

referring to positions that no longer exist within the department.

Specifically, this rule:

- Removes language related to the certification requirements of a Breath Alcohol Testing Field Supervisor.
 - Replaces Applied Technology Director with Applied Technology Supervisor as the individual who certifies the instructor of a chemical testing program.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There is no anticipated effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)
There is no anticipated cost or benefit to directly affected persons, small businesses, or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Jared David
Sergeant
2501#057

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Public Safety and Corrections Office of State Police

Qualification of Individuals for Instrument Maintenance and Inspection (LAC 55:I.507)

The Department of Public Safety and Corrections, Louisiana State Police, in accordance with R.S. 32:663 and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend LAC 55:I:507—Qualifications of Individuals for Instrument Maintenance and Inspection. This amendment removes the Instrument Intoxilyzer 5000. The Intoxilyzer 5000 is no longer in use. It also removes the breath analysis specialist and the applied technology director as those positions no longer exist. The amendment removes the Model Mark II-A wet bath breath alcohol simulator manufactured by Smith and Wesson, Model 34C, and Model 10-4 manufactured by Guth Manufacturing. These models are no longer in use.

Title 55

PUBLIC SAFETY

Part I. State Police

Chapter 5. Breath and Blood Alcohol Analysis Methods and Techniques

Subchapter A. Analysis of Breath

§507. Qualification of Individuals for Instrument Maintenance and Inspection

A. Qualification of individuals to perform maintenance and inspection on the approved instrument shall be as follows:

1. employee of the Office of State Police, Applied Technology Unit in the capacity of breath analysis supervisor, breath analysis instructor specialist, or applied technology specialist. In order to be employed in the capacity of the breath analysis supervisor, breath analysis instructor specialist, or applied technology specialist, the employee must have met all of the requirements as stated by

the Department of Civil Service pertaining to the classification of the breath analysis supervisor, breath analysis instructor specialist or applied technology specialist;

2. graduation from a state-accredited high school or the satisfactory passing of the General Education Development (GED) test or an equivalent educational background;

3. successful completion of a 16-hour operator's training course;

4. successful completion of a course on maintenance conducted by the manufacturer of the approved instrument used in blood/breath alcohol testing whereby the individual has received a satisfactory certificate stating such;

5. complete six months on-the-job training whereby the individual shall undergo instructions on the following, but not limited to:

- a. calibration of the instrument;
- b. checking calibration of the instrument;
- c. trouble-shooting of the instrument;
- d. performance of preventive and regular maintenance;
- e. preparation and use of any wet bath simulator and solutions used in the calibration and calibration check;
- f. inspection of the instrument received from the manufacturer to ensure proper assembly calibration and the overall proper functioning of the instrument.

B. After the individual has completed on-the-job training and qualified on the above specification, then and only then may he be certified to perform maintenance and inspection on the approved blood/breath alcohol testing instrument. The individual will then be certified by the Louisiana Department of Public Safety and Corrections and issued a permit stating such. This permit shall then be prima facie evidence of the individual's qualification to perform such maintenance.

C. The maintenance and/or repair work shall be performed by the breath analysis supervisor, breath analysis instructor specialist, or applied technology specialist of the Applied Technology Unit, who are certified by the Louisiana Department of Public Safety and Corrections to perform such. The instrument recertification form that is filed with the clerks of the respective courts every six months for the Intoxilyzer 9000, shall also have the inspecting breath analysis supervisor, breath analysis instructor specialist, or applied technology specialist permit number affixed to this certificate. This permit number shall be proof as to the certification of the inspecting breath analysis supervisor, breath analysis instructor specialist or applied technology specialist by the Louisiana Department of Public Safety and Corrections.

D. The procedure used by the breath analysis supervisor, or breath analysis instructor specialist, or applied technology specialist in the inspections of the instrument at least every six months for the Intoxilyzer 9000, for the checking of the calibration shall be as follows:

1. A wet bath breath alcohol simulator manufactured by Guth Manufacturing Company or any other wet bath simulator approved by the United States Department of Transportation will be used.

2. Use of this simulator and preparation of the contents shall be performed according to the instructions as per the manufacturer of the simulator's operating manual.

3. Solutions used in the simulators may also be produced by using a certified stock solution.

4. Once the simulator is made the known alcohol value may be determined by the use of a gas chromatograph or any other approved instrument and this will be the "known alcohol value." Calibration check of the instrument shall be within plus or minus 0.010 grams percent of the established "known alcohol value".

5. After the inspections are made by the breath analysis supervisor, breath analysis instructor specialist, or applied technology specialist, and all items are performed according to the maintenance section as listed under the instrument, the inspecting breath analysis supervisor, breath analysis instructor specialist or applied technology specialist will then certify that the instrument was in proper working order.

6. Records, or a copy covering maintenance, etc., on the instrument will be kept by the applied technology unit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:663.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of State Police, LR 4:390 (October 1978), amended LR 6:662 (November 1980), amended by the Department of Public Safety and Corrections, Office of State Police, LR 11:257 (March 1985), LR 14:362 (June 1988), repromulgated LR 14:442 (July 1988), amended LR 17:673 (July 1991), repromulgated LR 17:796 (August 1991), amended LR 27:1930 (November 2001), amended LR 27:1930 (November 2001), amended by the Department of Public Safety and Corrections, Office of State Police, Applied Technology Unit, LR 38:1993 (August 2012), LR 51:

Family Impact Statement

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.
5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. the effect on household income, assets, and financial security.
2. the effect on early childhood development and preschool through postsecondary education development.
3. the effect on employment and workforce development.
4. the effect on taxes and tax credits.
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

- 1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
- 2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
- 3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jason Hessick, General Counsel—Louisiana Department of Public Safety and Corrections, Office of State Police, 7979 Independence Blvd., Baton Rouge, LA 70806. All comments must be submitted no later than the end of business day, central time zone, February 10, 2025.

Jared David
Sergeant

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Qualification of Individuals for Instrument Maintenance and Inspection

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Department of Public Safety (DPS), Office of State Police proposes to amend Section 507 (Qualification of Individuals for Instrument Maintenance and Inspection) of Part I, Chapter 5 of Title 55 (Public Safety) of the Louisiana Administrative Code. The proposed rule removes language referring to positions that no longer exist and an instrument that is no longer utilized within the department.

Specifically, this rule:

- Removes the Applied Technology Director and Breath Analysis Specialist positions from the list of employees that must meet the requirements of the Department of Civil Service for classification.
- Removes the Model Mark II-A, Model 34C, and Model 10-4 instruments from the list of wet bath breath alcohol simulators used by the department.

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

There is no anticipated effect on revenue collections of state or local governmental units.

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

There is no anticipated cost or benefit to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

Jared David
Sergeant
2501#056

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Public Safety and Corrections
Office of State Police**

Release and Incident Reporting
(LAC 33:V.10111)

The Department of Public Safety and Corrections, Office of State Police, in accordance with R.S. 30:2365 and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend LAC 33:V.10111—Release and Incident Reporting. This Rule change allows the following: First, it changes the reportable quantity for natural gas from distribution lines from 1000 pounds to 42,000 pounds. This change was previously made in Title 30, but was not changed in the administrative code. Second, it gives facilities the option to submit the required written follow-up notification by mail or electronically. An email address has been created for the submissions of the required notifications. Third, it exempts the follow-up written notification requirement for releases from natural gas distribution lines.

Title 33

ENVIRONMENTAL QUALITY

Part V. Hazardous Wastes and Hazardous Materials

Subpart 2. Department of Public Safety and Corrections—Hazardous Materials

Chapter 101. Hazardous Material Information Development, Preparedness, and Response Act

§10111. Release and Incident Reporting

A. - D.4. ...

E. Exceptions to Reportable Quantities—Special Circumstances

1. The following special circumstances have been identified by the department and the following specific reportable quantities shall apply:

a. Natural gas from crude oil and natural gas production operations (including but not limited to flowlines and gathering lines) regardless of system pressure, and natural gas transmission operations in which the operational pressure exceeds 100 psi, shall have an RQ of 1000 pounds. Natural gas from distribution lines shall have an RQ of 42,000 pounds as specified in R.S. 30:2373B.

E.1.b - G.15. ...

H. Facilities must also make follow-up written reports for all reportable releases and incidents within five business days after the release or incident has occurred. This report must be made to the local emergency planning committee with jurisdiction over a facility and to the Department of Public Safety and Corrections, Office of State Police, TESS- Right-to-Know Unit, either through US Mail to P.O. Box 66168, Baton Rouge, LA 70896, or electronically to WrittenNotificationLSP@la.gov. The format for this report should be as outlined in Subsection G above. Any additional information not given in the initial telephone notification should also be included.

1. Releases from natural gas distribution lines are exempt from this reporting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2361 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 12:327 (May 1986), amended LR 13:184 (March 1987), LR 13:761 (December 1987), LR 14:803 (November 1988), LR 16:975 (November 1990), LR 17:610 (June 1991), LR 27:861 (June 2001), LR 34:882 (May 2008), LR 39:2784 (October 2013), LR 51:

Family Impact Statement

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.
5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. the effect on household income, assets, and financial security.
2. the effect on early childhood development and preschool through postsecondary education development.
3. the effect on employment and workforce development.
4. the effect on taxes and tax credits.
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

Provider Impact Statement

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jason Hessick, General Counsel—Louisiana Department of Public Safety and Corrections, Office of State Police, 7979 Independence Blvd., Baton Rouge, LA 70806. All comments must be submitted no later than the end of business day, central time zone, February 10, 2025.

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Release and Incident Reporting

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Department of Public Safety (DPS) proposes to amend Section 10111 (Release and Incident Reporting) of Subpart 2, Chapter 101 of Title 33:V (Environmental Quality: Hazardous Waste and Hazardous Materials) of the Louisiana Administrative Code. The proposed rule clarifies the reportable quantity (RQ) of natural gas released from distribution lines and creates an email address for written reports to be submitted electronically.

Specifically, this rule:

- Clarifies that natural gas from distribution lines shall have an RQ of 42,000 pounds.
- Creates an email address for written reports for all reportable releases and incidents to be submitted electronically.

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

There is no anticipated effect on revenue collections of state or local governmental units.

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

To the extent organizations choose to submit forms electronically, they may incur savings from postage. For illustrative purposes, organizations which send approximately 100 certified mail parcels annually would incur \$1,018 in savings. (\$10.18 per parcel of certified mail x 100 shipments = \$1,018).

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Implementation of this proposed Rule is not anticipated to have an effect on competition and employment.

Christopher Adams
Command Technician
2501#003

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Transportation and Development, Department of Professional Engineering and Land Surveying Board

Engineering and Land Surveying
(LAC 46:LXI.705, 903, 905, 907, 909, 911, 1101, 1703,
2503, 2701, 2907, 2911 and 3119)

Under the authority of the Louisiana professional engineering and land surveying licensure law, R.S. 37:681 et seq., and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Louisiana Professional Engineering and Land

Surveying Board has initiated procedures to amend its rules contained in LAC 46:LXI.705, 903, 905, 907, 909, 911, 1101, 1703, 2503, 2701, 2907, 2911 and 3119.

This is a revision of existing rules under which LAPELS operates. The revision (a) allows for conducting board meetings via electronic means and for accessibility to board meetings by people with disabilities, (b) incorporates the new state statute dealing with licensure by endorsement, (c) memorializes and updates all board application fees, renewal fees and other fees, (d) adds a cross reference to another board rule, (e) allows the board to require credential evaluations of land surveying, mapping and real property courses, (f) updates the standards of practice for boundary surveys based on Act 626 of the 2024 Regular Session, (g) updates references to another state agency which recently changed its name and (h) eliminates the administrative fee for licensees who are deemed not in compliance with the continuing professional development requirements of the board. The anticipated effective date of the proposed amendments to LAC 46:LXI.705, 903, 907, 909, 1101, 2503, 2701, 2907 and 2911 is the date of promulgation. The anticipated effective date of the proposed amendments to LAC 46:LXI.905, 911, 1703 and 3119 is the later of July 1, 2026 or the date of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXI. Professional Engineers and Land Surveyors

Chapter 7. Bylaws

§705. Meetings

A. - J. ...

K. Meetings via Electronic Means. In any calendar year in which the board holds six or more regular meetings, the board may conduct up to one-third of its meetings via electronic means and will only conduct successive meetings via electronic means as needed.

1. The written public notice of a meeting via electronic means shall include detailed information regarding how members of the public may:

a. participate in the meeting via electronic means, including the applicable teleconference and/or video conference link to the meeting.

b. submit written comments regarding matters on the agenda prior to the meeting.

2. For any meeting conducted via electronic means, the board shall ensure compliance with all requirements outlined in R.S. 42:17.2(C).

3. The written public notice discussed in §705.D shall indicate which meetings will be conducted via electronic means and which will be conducted as in-person meetings.

4. All board members, whether participating in the meeting at the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

5. An online archive of any meetings conducted via electronic means shall be maintained and available to the public on the board's website for at least two years.

6. No board member who participates in a meeting via electronic means shall be eligible to or receive per diem for attendance at the meeting.

7. For purposes of this Section, *anchor location* is defined as the public location at which the board holds in-

person meetings or is specifically equipped with the technology necessary to hold meetings via electronic means.

8. For purposes of this Section, *meeting via electronic means* is defined as a meeting at which one or more board members or members of the public participate via teleconference or video conference.

L. Accessibility by People with Disabilities. The board is obligated to provide for participation in all meetings via electronic means on an individualized basis by people with disabilities.

1. For purposes of this Section, *people with disabilities* are defined as any of the following:

a. a member of the public with a disability recognized by the Americans with Disabilities Act;

b. a designated caregiver of such a person; or

c. a board member with a disability recognized by the Americans with Disabilities Act.

2. The written public notice of a meeting shall include the name, telephone number and email address of the board representative to whom people with disabilities may submit requests to participate in the meeting via electronic means.

3. People with disabilities who submit a request to participate in a meeting via electronic means shall be provided with a teleconference and/or video conference link to the meeting as soon as possible following receipt of their request, but no later than the start of the meeting.

4. Board members with disabilities recognized by the Americans with Disabilities Act who participate in meetings via electronic means shall be counted for the purposes of establishing a quorum and may vote.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688, R.S. 42:14, R.S. 42:17.2, and R.S. 42:17.2.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:52 (February 1976), amended LR 5:118 (May 1979), LR 11:1181 (December 1985), LR 19:55 (January 1993), LR 21:1354 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1023 (July 2001), LR 30:1707 (August 2004), LR 44:614 (March 2018), LR 47:893 (July 2021), LR 51:

Chapter 9. Requirements for Certification and Licensure of Individuals and Temporary Permit to Practice Engineering or Land Surveying

§903. Professional Engineer Licensure

A. - E.2. ...

F. The requirements for licensure as a professional engineer under the alternative provided in R.S. 37:51 et seq. are as follows:

1. the applicant for licensure as a professional engineer shall be an individual who holds a current and valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has held such license for at least one year, who has passed any examinations or met any education, training, or experience standards as required by such other jurisdiction, who is held in good standing by such other jurisdiction, who does not have a disqualifying criminal record as determined by the board under the laws of this state, who does not have a disciplinary action or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, who lives in this state and has

provided proof of residency, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional engineer by the board.

G. The provisions of Subsections B, C and D shall not apply to any applicant who received a dishonorable discharge or to a military spouse whose spouse received a dishonorable discharge.

H. In Subsections B, C and D, the term *military* shall mean the armed forces or reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, and the reserve components thereof, the National Guard of any state, the military reserves of any state, or the naval militia of any state.

I. In Subsections B, C and D, the term *dependent* shall mean a resident spouse or resident unmarried child under 21 years of age, a child who is a student under 24 years of age and who is financially dependent upon the parent, or a child of any age who is disabled and dependent upon the parent.

J. In Subsection E, the term *dependent* shall mean any of the following who relocates to Louisiana with a healthcare professional:

J.1. - J.4. ...

K. In Subsection E, the term *healthcare professional* shall mean a person who has relocated to and established his/her legal residence in Louisiana, who holds a valid license to provide healthcare services in Louisiana and who is providing healthcare or professional services in Louisiana as a physician, physician assistant, dentist, registered or licensed practical nurse or certified nurse assistant, advanced practice registered nurse, certified emergency medical technician, paramedic, certified registered nurse anesthetist, nurse practitioner, respiratory therapist, clinical nurse specialist, pharmacist, physical therapist, occupational therapist, licensed radiologic technologist, chiropractor, or licensed clinical laboratory scientist.

L. In Subsection F, proof of residency in this state shall be established by providing to the board one or more of the following:

1. a current state of Louisiana-issued identification card;
2. a current state of Louisiana-issued voter registration card;
3. documentation of current employment of the applicant in this state or a notarized letter of a promise of employment of the applicant or his/her spouse in this state; however, if this form of proof of residency is provided, the applicant shall also provide to the board one or more of the other forms of proof of residency six months after licensure has been granted by the board; or
4. a current homestead exemption for this state.

M. The authority for the executive director to issue a license can only be granted by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:51 et seq., 37:688, 37:1751, and 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:352 (November 1976), amended LR 5:114 (May 1979), LR 5:365 (November 1979), LR 6:735 (December 1980), LR 7:644 (December 1981), LR 10:804 (October 1984), LR 11:362 (April 1985), LR 19:56 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying

Board, LR 27:1028 (July 2001), LR 30:1712 (August 2004), LR 32:1619 (September 2006), LR 37:2412 (August 2011), LR 38:2564 (October 2012), LR 39:1060 (April 2013), LR 39:2801 (October 2013), LR 43:538 (March 2017), LR 43:1419 (July 2017), LR 44:616 (March 2018), LR 47:491 (April 2021), LR 47:894 (July 2021), LR 48:2363 (September 2022), LR 51:

§905. Temporary Permit to Practice Engineering

A. - E. ...

F. The fee for a temporary permit for an individual shall be the same as the fee paid by an applicant applying for licensure as a professional engineer pursuant to §903.A.2. The fee for a temporary permit for a firm shall be the same as the fee paid by an applicant applying for licensure as a professional engineering firm.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688 and 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 8:192 (April 1982), amended LR 16:773 (September 1990), LR 19:56 (January 1993), LR 22:286 (April 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1028 (July 2001), LR 30:1712 (August 2004), LR 37:2412 (August 2011), LR 39:2802 (October 2013), LR 44:616 (March 2018), LR 47:493 (April 2021), LR 51:

§907. Land Surveyor Intern Certification

A. The requirements for certification as a land surveyor intern under the two alternatives provided in the licensure law are as follows:

1. the applicant for certification as a land surveyor intern shall be a graduate holding a baccalaureate degree from a curriculum of four years or more who has completed at least 30 semester credit hours, or the equivalent, in land surveying, mapping, and real property courses approved by the board (as discussed in §1107), who is of good character and reputation, who has passed the examination required by the board in the fundamentals of land surveying, who was recommended for certification by a professional land surveyor holding a valid license to engage in the practice of land surveying issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has submitted an application for certification in accordance with the requirements of R.S. 37:694, and who was duly certified as a land surveyor intern by the board; or

A.2. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:352 (November 1976), amended LR 5:114 (May 1979), LR 5:365 (November 1979), LR 6:735 (December 1980), LR 7:644 (December 1981), LR 10:90 (February 1984), LR 16:773 (September 1990), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1028 (July 2001), LR 30:1712 (August 2004), LR 32:1619 (September 2006), LR 37:2413 (August 2011), LR 38:2564 (October 2012), LR 44:617 (March 2018), LR 51:

§909. Professional Land Surveyor Licensure

A. - E.2. ...

F. The requirements for licensure as a professional land surveyor under the alternative provided in R.S. 37:51 et seq. are as follows:

1. the applicant for licensure as a professional land surveyor shall be an individual who holds a current and valid license to engage in the practice of land surveying issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has held such license for at least one year, who has passed any examinations or met any education, training, or experience standards as required by such other jurisdiction, who is held in good standing by such other jurisdiction, who does not have a disqualifying criminal record as determined by the board under the laws of this state, who does not have a disciplinary action or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, who lives in this state and has provided proof of residency, who has passed the examination required by the board in the Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board.

G. The provisions of Subsections B, C and D shall not apply to any applicant who received a dishonorable discharge or to a military spouse whose spouse received a dishonorable discharge.

H. In Subsections B, C and D, the term *military* shall mean the armed forces or reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, and the reserve components thereof, the National Guard of any state, the military reserves of any state, or the naval militia of any state.

I. In Subsections B, C and D, the term *dependent* shall mean a resident spouse or resident unmarried child under 21 years of age, a child who is a student under 24 years of age and who is financially dependent upon the parent, or a child of any age who is disabled and dependent upon the parent.

J. In Subsection E, the term *dependent* shall mean any of the following who relocates to Louisiana with a healthcare professional:

J.1 - J.4. ...

K. In Subsection E, the term *healthcare professional* shall mean a person who has relocated to and established his/her legal residence in Louisiana, who holds a valid license to provide healthcare services in Louisiana and who is providing healthcare or professional services in Louisiana as a physician, physician assistant, dentist, registered or licensed practical nurse or certified nurse assistant, advanced practice registered nurse, certified emergency medical technician, paramedic, certified registered nurse anesthetist, nurse practitioner, respiratory therapist, clinical nurse specialist, pharmacist, physical therapist, occupational therapist, licensed radiologic technologist, chiropractor, or licensed clinical laboratory scientist.

L. In Subsection F, proof of residency in this state shall be established by providing to the board one or more of the following:

1. a current state of Louisiana-issued identification card;
2. a current state of Louisiana-issued voter registration card;

3. documentation of current employment of the applicant in this state or a notarized letter of a promise of employment of the applicant or his/her spouse in this state; however, if this form of proof of residency is provided, the applicant shall also provide to the board one or more of the other forms of proof of residency six months after licensure has been granted by the board; or

4. a current homestead exemption for this state.

M. The authority for the executive director to issue a license can only be granted by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:51 et seq., 37:688, 37:1751, and 37:3651

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:244 (August 1976), amended LR 2:352 (November 1976), LR 5:114 (May 1979), LR 6:735 (December 1980), LR 7:645 (December 1981), LR 11:362 (April 1985), LR 16:773 (September 1990), LR 19:56 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1029 (July 2001), LR 30:1713 (August 2004), LR 32:1619 (September 2006), LR 35:1909 (September 2009), LR 37:2413 (August 2011), LR 38:2564 (October 2012), LR 39:2802 (October 2013), LR 43:539 (March 2017), LR 44:617 (March 2018), LR 47:493 (April 2021), LR 48:2363 (September 2022), LR 51:

§911. Temporary Permit to Practice Land Surveying

A. - D. ...

E. The fee for a temporary permit shall be the same as the fee paid by an applicant applying for licensure as a professional land surveyor pursuant to §909.A.2.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 39:2803 (October 2013), amended LR 44:618 (March 2018), LR 47:495 (April 2021), LR 51:

Chapter 11. Curricula

§1101. Approved Curricula

A. - F. ...

G. To qualify for certification as a land surveyor intern pursuant to §907.A.1, an applicant may be required to submit to the board an evaluation of the "30 semester credit hours, or the equivalent, in land surveying, mapping, and real property courses" prepared by a board-approved education credential evaluation service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:113 (May 1979), amended LR 5:365 (November 1979), LR 7:646 (December 1981), LR 10:805 (October 1984), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1029 (July 2001), LR 30:1713 (August 2004), LR 44:618 (March 2018), LR 45:77 (January 2019), LR 47:495 (April 2021), LR 51:

Chapter 17. Applications and Fees

§1703. Fees

A. ...

B. Application fees, renewal fees and other fees shall be as follows:

Application Fees	
Licensure as a Professional Engineer by Examination	\$50
Licensure as a Professional Engineer by Comity	\$200
Licensure as a Professional Engineer by Endorsement	\$50
Licensure as a Professional Land Surveyor by Examination	\$50
Licensure as a Professional Land Surveyor by Comity	\$200
Licensure as a Professional Land Surveyor by Endorsement	\$50
Louisiana Laws of Land Surveying Examination	\$100
Temporary Engineering Permit (Individual)	\$200
Temporary Land Surveying Permit (Individual)	\$200
Certification as an Engineer Intern	\$20
Certification as a Land Surveyor Intern	\$20
Licensure as a Professional Engineering Firm	\$185
Licensure as a Professional Land Surveying Firm	\$185
Temporary Engineering Permit (Firm)	\$185
Renewal Fees	
Renewal of Licensure as a Professional Engineer in Active Status	\$140
Renewal of Licensure as a Professional Engineer in Active Status (<i>not in compliance with CPD requirements</i>)	\$200
Renewal of Licensure as a Professional Engineer in Retired Status	\$70
Renewal of Licensure as a Professional Engineer in Inactive Status	\$140
Renewal of Licensure as a Professional Land Surveyor in Active Status	\$140
Renewal of Licensure as a Professional Land Surveyor in Active Status (<i>not in compliance with CPD requirements</i>)	\$200
Renewal of Licensure as a Professional Land Surveyor in Retired Status	\$70
Renewal of Licensure as a Professional Land Surveyor in Inactive Status	\$140
Renewal of Certification as an Engineer Intern	\$60
Renewal of Certification as a Land Surveyor Intern	\$60
Renewal of Licensure as a Professional Engineering Firm	\$140
Renewal of Licensure as a Professional Land Surveying Firm	\$140
Late Renewal Fees	
Late Renewal of Licensure as a Professional Engineer in Active Status (<i>within 120 days after expiration</i>)	\$210
Late Renewal of Licensure as a Professional Engineer in Active Status (<i>within 120 days after expiration</i>) (<i>not in compliance with CPD requirements</i>)	\$350
Late Renewal of Licensure as a Professional Engineer in Retired Status (<i>within 120 days after expiration</i>)	\$105
Late Renewal of Licensure as a Professional Engineer in Inactive Status (<i>within 120 days after expiration</i>)	\$210
Late Renewal of Licensure as a Professional Land Surveyor in Active Status (<i>within 120 days after expiration</i>)	\$210
Late Renewal of Licensure as a Professional Land Surveyor in Active Status (<i>within 120 days after expiration</i>) (<i>not in compliance with CPD requirements</i>)	\$350
Late Renewal of Licensure as a Professional Land Surveyor in Retired Status (<i>within 120 days after expiration</i>)	\$105
Late Renewal of Licensure as a Professional Land Surveyor in Inactive Status (<i>within 120 days after expiration</i>)	\$210
Late Renewal of Licensure as a Professional Engineering Firm (<i>within 120 days after expiration</i>)	\$210
Late Renewal of Licensure as a Professional Land Surveying Firm (<i>within 120 days after expiration</i>)	\$210
Reactivation Fees	
Reactivation of Expired Professional Engineer License (<i>more than 120 days after expiration</i>)	\$280
Reactivation of Expired Professional Engineer License (<i>more than 120 days after expiration</i>) (<i>not in compliance with CPD requirements</i>)	\$420
Reactivation of Expired Professional Land Surveyor License (<i>more than 120 days after expiration</i>)	\$280

Reactivation Fees	
Reactivation of Expired Professional Land Surveyor License (<i>more than 120 days after expiration</i>) (<i>not in compliance with CPD requirements</i>)	\$420
Reactivation of Expired Engineer Intern Certification (<i>more than 120 days after expiration</i>)	\$60
Reactivation of Expired Land Surveyor Intern Certification (<i>more than 120 days after expiration</i>)	\$60
Reactivation of Expired Professional Engineering Firm License (<i>more than 120 days after expiration</i>)	\$280
Reactivation of Expired Professional Land Surveying Firm License (<i>more than 120 days after expiration</i>)	\$280
Other Fees	
Public Records	\$0.25 per page plus notary and postage charges

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 3:503 (December 1977), amended LR 5:365 (November 1979), LR 7:646 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1033 (July 2001), LR 30:1718 (August 2004), LR 44:622 (March 2018), LR 51:

Chapter 25. Professional Conduct
§2503. Licensees

A. - H. ...

I. A licensee who was licensed under R.S. 37:51 et seq. and either §903.F or §909.F shall not be identified as a professional engineer, professional land surveyor, P.E., P.L.S., or any modification or derivative thereof, as applicable, unless the phrase "Licensed by Endorsement, R.S. 37:51 et seq." immediately follows such identification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:51 et seq. and 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 7:648 (December 1981), amended LR 11:950 (October 1985), LR 16:776 (September 1990), LR 17:273 (March 1991), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1037 (July 2001), LR 30:1721 (August 2004), LR 44:624 (March 2018), LR 48:2365 (September 2022), LR 51:

Chapter 27. Use of Seals
§2701. Seal and Signature

A. - A.2.a.iii. ...

iv. "Professional Engineer" or "Professional Engineer in _____ Engineering," or "Professional Land Surveyor";

v. "Licensed by Endorsement, R.S. 37:51 et seq." (if licensee was licensed under R.S. 37:51 et seq. and either §903.F or §909.F).

Seals issued prior to promulgation of these rules may use the word "registered" in lieu of "licensed". If a seal is replaced, the new seal shall use the word "licensed" in lieu of "registered".

A.2.b - A.2.e. ...

f. A seal must always be accompanied by the licensee's signature and date. The signature and date must be placed adjacent to or across the seal.



A.3. - A.5.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:51 et seq. and 37:696.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 8:192 (April 1982), amended LR 12:692 (October 1986), LR 16:774 (September 1990), LR 17:273 (March 1991), LR 19:58 (January 1993), LR 22:287 (April 1996), LR 23:869 (July 1997), amended by the Louisiana Legislature, House Concurrent Resolution Number 2 of the 1998 First Extraordinary Session, LR 24:1207 (June 1998), repromulgated by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 25:1525 (August 1999), amended LR 27:1039 (July 2001), LR 30:1723 (August 2004), LR 33:2789 (December 2007), LR 34:2415 (November 2008), LR 35:1910 (September 2009), LR 38:1418 (June 2012), LR 39:1481 (June 2013), LR 42:443 (March 2016), LR 43:344 (February 2017), LR 43:540 (March 2017), LR 44:625 (March 2018), LR 45:77 (January 2019), LR 51:

Chapter 29. Standards of Practice for Boundary Surveys §2907. Property Boundary Survey

A. - F.7. ...

G. Plats and Maps. Every original plat or map of a property boundary survey should be a reproducible drawing at a suitable scale which clearly shows the results of the field work, computations, research and record information as compiled and checked. The plat or map shall be prepared in conformity with the following guidelines.

G.1. - G.5. ...

6. A statement indicating the origin of azimuths or bearings shall be shown on each plat or map. If bearings are used, the basis of the bearing shall include one or more of the following:

G.6.a. ...

b. reference to the Louisiana state plane coordinate system with the appropriate zone and a controlling station(s) with coordinates and datum noted;

G.6.c. - H.11. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1065 (December 1990), amended LR 19:58 (January 1993), LR 22:714 (August 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1043 (July 2001), LR 30:1726 (August 2004), LR 33:2790 (December 2007), LR 37:2415 (August 2011), LR 44:627 (March 2018), LR 49:1568 (September 2023), LR 51:

§2911. Mineral Unitization Survey

A. ...

B. Scope and Product. A mineral unitization survey shall, as a minimum, consist of the following elements.

B.1....

2. The professional land surveyor shall determine, on the ground, the location of the unit well and the location of sufficient tract lines in order to determine the subsurface mineral tracts located inside the unit boundaries. Geologically significant wells, as identified by the Louisiana Department of Energy and Natural Resources, Office of Conservation field order or the client, will be located with respect to the unit boundaries. Installation of new monuments defining the limits of the unit, or of the tracts which comprise the unit, is not required.

3. The professional land surveyor shall prepare a unitization plat or map (Louisiana Department of Energy and Natural Resources, Office of Conservation field order unit, voluntary unit or declared unit) showing the mineral participant(s) and limits of the tracts (or portions of tracts) which are included in the proposed mineral unit. These plats or maps shall be prepared in compliance with those requirements for property boundary survey plats or maps that are specifically contained in §2907.G.1, 2, 6, 7 and 14. These plats or maps shall contain bearings and distances around the perimeter of the unit boundary, but are not required to depict or list such calls for the individual tracts which comprise the unit. Final plats or maps issued to the client shall contain a statement by the professional land surveyor certifying its authenticity (that it represents his/her survey) and stating that the mineral unitization survey complies with the applicable standards of practice as stipulated in this Chapter. In addition, the plats or maps, when applicable, shall be in compliance with the Louisiana Department of Energy and Natural Resources, Office of Conservation’s requirements governing unit plats and survey plats (LAC 43:XIX.Chapter 41).

B.4....

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 37:2419 (August 2011), LR 51:

Chapter 31. Continuing Professional Development (CPD)

§3119. Failure to Comply

A. When a licensee is deemed not in compliance with the CPD requirements of the board, the licensee will be so notified and will be given 120 days to satisfy the CPD requirements. The licensee must provide documented evidence of compliance. Failure to comply will subject the licensee to disciplinary action as provided in the licensure law.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016), LR 44:632 (March 2018), LR 47:497 (April 2021), LR 51:

Family Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(i) and 972, the following Family Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known impact on family formation, stability or autonomy.

Poverty Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(ii) and 973, the following Poverty Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known impact on child, individual or family poverty in relation to individual or community asset development.

Small Business Analysis

In accordance with R.S. 49:961(A)(2)(h)(iv) and 974.5, the following Small Business Regulatory Flexibility Analysis is submitted with the Notice of Intent for publication in the *Louisiana Register*: The impact of the proposed Rule on small businesses has been considered. LAPELS has, consistent with health, safety, environmental and economic welfare, considered utilizing regulatory methods that will accomplish the objectives of applicable statutes while minimizing adverse impact on small businesses. The proposed Rule is not anticipated to have an adverse impact on small businesses.

Provider Impact Statement

In accordance with HCR No. 170 of the 2014 Regular Session, the following Provider Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known effect on the staffing level requirements or qualifications required to provide the same level of service, the cost to the provider to provide the same level of service or the ability of the provider to provide the same level of service.

Public Comments

Interested parties are invited to submit written comments on the proposed Rule through February 10, 2025 at 4:30 p.m., to Donna D. Sentell, Executive Director, Louisiana Professional Engineering and Land Surveying Board, 8550 United Plaza Blvd., Suite 903, Baton Rouge, LA 70809.

Donna D. Sentell
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Engineering and Land Surveying

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

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

The proposed rule change does the following:

- a) Allows the board to conduct board meetings via electronic means under certain circumstances and requires the board to provide accessibility to all board meetings by people with disabilities;
- b) Incorporates the new state statute (La. R.S. 37:51 et seq.) dealing with licensure by endorsement pursuant to Acts 253 and 568 of the 2024 Regular Session;

- c) Codifies all board application fees, renewal fees and other fees, including the increase, decrease or elimination of certain fees, into the board's rules;
- d) Adds a cross-reference to another board rule;
- e) Allows the board to require land surveyor applicants to obtain a credential evaluation of their land surveying, mapping, and real property courses;
- f) Updates the standards of practice for boundary surveys based on Act 626 of the 2024 Regular Session;
- g) Updates references to the Department of Energy and Natural Resources which recently changed its name; and

Eliminates the administrative fee for licensees who are deemed not in compliance with the continuing professional development requirements of the board.

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

The proposed rule change will result in an estimated \$272,710 (\$258,450 - \$54,800 + \$69,060) net increase in fee collections for the board starting in FY 27, as follows:

Fee Increases:

<u>Application/Renewal/Late Renewal/Reactivation Fee</u>	<u>Amount of Increase</u>	<u>No. of Persons</u>	<u>Total Increase</u>
Licensure of professional engineer by comity or professional land surveyor by comity	\$20	950	\$19,000
Licensure of professional engineering firm or professional land surveying firm	\$20	300	\$6,000
Timely renewal of licensure in active status by professional engineer, professional land surveyor, professional engineering firm or professional land surveying firm (with continuing professional development compliance by individuals)	\$20	9,800	\$196,000
Timely renewal of licensure in inactive status by professional engineer or professional land surveyor (with continuing professional development compliance)	\$20	425	\$8,500
Timely renewal of licensure in retired status by professional engineer or professional land surveyor (with continuing professional development compliance)	\$10	125	\$1,250
Late renewal of licensure in active status by professional engineer, professional land surveyor, professional engineering firm or professional land surveying firm (with continuing professional development compliance by individuals)	\$30	400	\$12,000

Late renewal of licensure in inactive status by professional engineer or professional land surveyor (with continuing professional development compliance)	\$30	25	\$750
Late renewal of licensure in retired status by professional engineer or professional land surveyor (with continuing professional development compliance)	\$15	5	\$75
Reactivation of expired license by professional engineer, professional land surveyor, professional engineering firm or professional land surveying firm (with continuing professional development compliance by individuals)	\$85	175	\$14,875

Total \$258,450

Fee Decreases:

<u>Application/Administrative Fee</u>	<u>Amount of Decrease</u>	<u>No. of Persons</u>	<u>Total Decrease</u>
Temporary engineering permit or temporary land surveying permit for individual	\$160	0	\$0
Temporary engineering permit for firm	\$145	0	\$0
Administrative fee for professional engineer or professional land surveyor who is not in compliance with continuing professional development requirements	\$200	274	\$54,800
Total			<u>\$54,800</u>

New Fees:

<u>Application/Renewal/Late Renewal/Reactivation Fee</u>	<u>Amount of Fee</u>	<u>No. of Persons</u>	<u>Total</u>
Licensure of professional engineer by endorsement or professional land surveyor by endorsement	\$50	5	\$250
Timely renewal of licensure in active status by professional engineer or professional land surveyor (who is not in compliance with continuing professional development requirements)	\$200	245	\$49,000
Late renewal of licensure in active status by professional engineer or professional land surveyor (who is not in compliance with continuing professional development requirements)	\$350	29	\$10,150

Reactivation of expired license by professional engineer or professional land surveyor (who is not in compliance with continuing professional development requirements)

\$420 23 \$9,660

Total \$69,060

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

The proposed rule change will have a varied, but likely minor, impact on applicants seeking licensure (or renewal or reactivation of licensure) for professional engineering or land surveying. The proposed rule change increases fees ranging from \$20 to \$420 and decreases or eliminates certain fees ranging from \$145 to \$200, depending on the fee.

The proposed rule change also codifies an alternative path to licensure for certain individuals as authorized in La. R.S. 37:51 et seq., which may result in an economic benefit to applicants who meet the qualification for licensure by endorsement.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

To the extent applications for licensure by endorsement increase the number of professional engineers or professional land surveyors practicing in Louisiana, there may be a resulting increase in competition and employment. The magnitude of such impact is indeterminable but is expected to be minimal.

Donna D. Sentell
Executive Director
2501#043

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

**Hunting Regulations for the 2025-2027 Seasons
(LAC 76:XIX.Chapter 1)**

Notice is hereby given that the Wildlife and Fisheries Commission proposes to amend the general and wildlife management area rules and regulations for the 2025-2026 season, the resident game hunting season for the 2025-2027 hunting seasons, the general and wildlife management area rules and regulations for the turkey season, the turkey hunting areas, and seasons, and bag limits for the 2026 turkey season, and the migratory bird seasons, regulations, and bag limits for the 2025-2026 hunting season. The department manages the take of resident game, outlaw quadrupeds and migratory birds in Louisiana and this action defines legal participants, sets the legal season bag limits along with legal methods of take and hunting season dates for the 2025-2026 hunting season for wildlife in Louisiana. The new hunting rules and regulations for the 2025-2026 and 2026-2027 seasons clarify opening and closing dates of certain hunting seasons; changes Deer Area 4 limit from 3 to 4, removes a PCHP hunting blind on Maurepas Swamp WMA and establishes one on Sandy Hollow WMA, clarifies breeds of dogs legal for LDWF WMA camping areas, adds 3 additional deer hunting days on Attakapas WMA, establishes a 2 p.m. waterfowl hunting closure, prohibits mud boats and

air-cooled vessels and nighttime activities and requires all fish to be taken by rod and reel only on Biloxi WMA, shifts mandatory deer checks on Bodcau, Boeuf, Buckhorn, Fort Johnson-North and Fort Johnson-Vernon WMAs, removes a PCHP blind on Floy McElroy WMA, prohibits magnet fishing on DOD WMAs, removes road closures on Pearl River WMA, shifts the primitive firearm season on Russell Sage WMA, and clarifies open areas on Sherburne WMA.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed Rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§101. General

A. The resident game hunting season regulations have been adopted by the Wildlife and Fisheries Commission. A complete copy of the regulations pamphlet may be obtained from the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), LR 30:1493 (July 2004), LR 31:1627 (July 2005), LR 32:1253 (July 2006), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 36:1580 (July 2010), LR 37:2206 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1534 (August 2014), LR 41:958 (May 2015), LR 42:1107 (July 2016), LR 44:1273 (July 2018), LR 45:933 (July 2019), LR 46:957 (July 2020), LR 47:901 (July 2021), LR 48:1863 (July 2022), LR 49:1231 (July 2023), LR 50:790 (June 2024), LR 51:

§103. Resident Game Birds and Animals

A. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

B. Consult Regulation Pamphlet for Seasons or Specific Regulations on Wildlife Management Areas or Specific Localities

Species	Season Dates	Daily Bag Limit	Possession Limit
Quail	OPENS: third Saturday of November CLOSES: last day of February	10	30
Rabbit and Squirrel	OPENS: first Saturday of October CLOSES: last day of February	8	24
Squirrel*	OPENS: first Saturday of May for 23 days	3	9

Species	Season Dates	Daily Bag Limit	Possession Limit
Deer 2025- 2026	See Schedule	1 antlered and 1 antlerless (when legal)	Deer Areas 1,2,3,5,6,7,8, and 9— 6/season (not to exceed 3 antlered deer or 4 antlerless deer). Deer Area 4— 4/season (not to exceed 2 antlered or 2 antlerless deer). Deer Area 10—3/season (not to exceed 2 antlered or 2 antlerless deer).

*NOTE: Spring squirrel season is closed on the Kisatchie National Forest, National Wildlife Refuges, U.S. Army Corps of Engineers property. Some state wildlife management areas will be open, check WMA season schedule.

C. Deer Hunting Schedule 2025-2026

Area	Archery	Primitive Firearms (All Either-Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
2	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: after 7 days	OPENS: last Sat. of Oct. CLOSES: Tues. before second Sat. of Dec. in odd numbered years and on Wed. during even numbered years except when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the first Sat. of Dec.	OPENS: Wed. before the second Sat. of Dec. in odd numbered years and on Thurs. during even numbered years except when there are 5 Sats. in Nov., then it will open on the Wed. before the first Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
4	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.

Area	Archery	Primitive Firearms (All Either-Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
5	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	(All Either-Sex except as noted.) OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER-SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER-SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER-SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER-SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER-SEX) OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER-SEX)
6	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan.
7	OPENS: third Sat. of Sept. CLOSES: Jan. 15.	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
8	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
9	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER-SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sunday of the same weekend (EITHER-SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER-SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER-SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER-SEX) OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER-SEX)
10	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: 38 days after Thanksgiving Day	

D. Deer Hunting Schedule 2026-2027

Area	Archery	Primitive Firearms (All Either-Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
2	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: after 7 days	OPENS: last Sat. of Oct. CLOSES: Tues. before second Sat. of Dec. in odd numbered years and on Wed. during even numbered years except when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the first Sat. of Dec.	OPENS: Wed. before the second Sat. of Dec. in odd numbered years and on Thurs. during even numbered years except when there are 5 Sats. in Nov., then it will open on the Wed. before the first Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
4	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
5	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	(All Either-Sex except as noted.) OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER-SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER-SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER-SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER-SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER-SEX) OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER-SEX)
6	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan.

Area	Archery	Primitive Firearms (All Either-Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
7	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
8	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
9	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. CLOSES: last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER-SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sunday of the same weekend (EITHER-SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER-SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER-SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER-SEX). OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER-SEX)
10	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: after 7 days		

E. Farm-raised white-tailed deer on supplemented shooting preserves:

1. archery, firearm, primitive firearms—October 1-January 31 (either-sex).

F. Exotics on supplemented shooting preserves:

1. either-sex—no closed season.

G. Spring squirrel hunting:

1. season dates—opens first Saturday of May for 23 days;

2. closed areas:

a. Kisatchie National Forest, national wildlife refuges, and U.S. Army Corps of Engineers property and all WMAs except as provided in Paragraph 3 below;

3. wildlife management area schedule—opens first Saturday of May for nine days on all WMAs except Fort Johnson-Vernon, Fort Johnson North, Esler Field, Atchafalaya Delta, Pass-a-Loutre and Salvador/Timken. Dogs are allowed during this season for squirrel hunting;

4. limits—daily bag limit is three and possession limit is nine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:109(B) and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), repromulgated LR 25:1526 (August 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR

29:1122 (July 2003), repromulgated LR 29:1521 (August 2003), amended LR 30:1494 (July 2004), LR 31:1627 (July 2005), LR 32:1254 (July 2006), LR 33:115 (January 2007), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 35:2856 (December 2009), LR 36:1580 (July 2010), LR 37:2207 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1535 (August 2014), LR 41:958 (May 2015), LR 42:1108 (July 2016), LR 43:1420 (July 2017), LR 44:1273 (July 2018), LR 45:934 (July 2019), LR 46:957 (July 2020), LR 47:901 (July 2021), LR 48:1863 (July 2022), LR 49:1232 (July 2023), LR 50:790 (June 2024), LR 51:

§111. General and Wildlife Management Area Hunting Rules and Regulations

A. Hunting Seasons and Wildlife Management Area (WMA) Regulations

1. The rules and regulations contained within this digest have been officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by sections 115 and 116 of title 56 of the *Louisiana Revised Statutes* of 1950 and are in full force and effect in conjunction with all applicable statutory laws. The secretary of the Department of Wildlife and Fisheries (LDWF) has the authority to close or alter seasons in emergency situations in order to protect fish and wildlife resources.

2. Pursuant to section 40.1 of title 56 of the *Louisiana Revised Statutes* of 1950, the Wildlife and Fisheries Commission has adopted monetary values which are assigned to all illegally taken, possessed, injured or destroyed fish, wild birds, wild quadrupeds and other

wildlife and aquatic life. Anyone taking, possessing, injuring or destroying fish, wild birds, wild quadrupeds and other wildlife and aquatic life shall be required to reimburse the LDWF a sum of money equal to the value of the wildlife illegally taken, possessed, injured or destroyed. This monetary reimbursement shall be in addition to any and all criminal penalties imposed for the illegal act.

B. Resident Game Birds and Animals

1. Shooting hours: one-half hour before sunrise to one-half hour after sunset.

C. Other Season Dates

1. Turkey. Please refer to turkey regulations.

2. Raccoon and Opossum. No closed season. Raccoon and opossum can be taken at night by one or more licensed hunters with one or more dogs and one .22 caliber or smaller rimfire firearm. A licensed hunter may take raccoon or opossum with .22 caliber or smaller rimfire firearm, .36 caliber or smaller muzzleloader rifle, archery gear, air rifle or shotgun during daylight hours. Hunting from boats or motor vehicles is prohibited. No bag limit for nighttime or daytime raccoon or opossum hunting during the open trapping season except on certain WMAs as listed. The remainder of the year, the raccoon and opossum bag limit for daytime or nighttime is two per person per day or night. No one who hunts raccoons or opossums as prescribed above shall pelt during the closed trapping season nor sell skins or carcasses of raccoons and opossums taken during the open trapping season unless he is the holder of a valid trapping license which shall be required in addition to his basic hunting license. Pelting or selling carcasses is illegal during closed trapping season.

3. Nutria. On WMAs and private property nutria may be taken recreationally by licensed hunters from September 1 through the last day of February, during legal shooting hours by any legal hunting method with no daily limit. Except nutria may be taken on Atchafalaya Delta, Salvador/Timken, Pointe-Aux-Chenes and Pass-a-Loutre WMAs from September 1 to March 31. When taken with a shotgun, non-toxic shot must be used. On WMAs during waterfowl seasons, nutria may be taken only with the use of shotguns with shot no larger than F steel, and during gun deer seasons, anyone taking nutria must display 400 square inches of "hunter orange" and wear a "hunter orange" cap or hat. Recreational nutria hunters must remove each nutria carcass in whole condition from the hunting area, except that nutria may be gutted. Possession of detached nutria parts, including nutria tails, by recreational hunters is illegal. Nutria harvested recreationally may not be pelted nor may such nutria or any nutria parts from recreationally taken nutria be sold, including the tail. Trespassing upon private property for the purpose of taking nutria or other furbearing animals is punishable by fines and possible jail time (R.S. 56:265). The Coastwide Nutria Control Program is a separate program and is in no way related to the nutria recreational season. For questions on the Coastwide Nutria Control Program, call the Lafayette Field Office, (337) 735-8672.

4. Crows. The season for crows shall be September 1 through January 1 with no limit.

5. Pheasant. Open concurrently with the quail season; no limit.

6. Falconry. Special permit required. Resident and migratory game species may be taken except turkeys. Seasons and bag limits are the same as for statewide and WMA regulations. Refer to LAC 76:V.301 for specific falconry rules.

7. Licensed Hunting Preserve, October 1-April 30, Pen-Raised Birds Only. No limit entire season. Refer to LAC 76:V.305 for specific hunting preserve rules.

8. Deer Management Assistance Program (DMAP). Refer to LAC 76:V.111 for specific DMAP rules. Deer management assistance tags must be in the possession of the hunter in order to harvest an antlerless deer. The tag shall be attached through the hock in such a manner that it cannot be removed before the deer is transported (including those taken on either-sex days and those taken with approved archery equipment or primitive firearms). Failure to do so is a violation of R.S. 56:115. Deer harvested on property enrolled in DMAP do not count in the season or daily bag limit for hunters when legally tagged with DMAP tags. DMAP participants must follow the deer season schedule established for their respective areas, except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest. Failing to follow DMAP rules and regulations may result in suspension and cancellation of the program on those lands involved.

9. Farm Raised White-tailed Deer and Exotics on Licensed Supplemented Shooting Preserves

a. Definitions

Exotics—for purposes of this Section means any animal of the family *Bovidae* (except the tribe *Bovini* [cattle]) or *Cervidae* which is not indigenous to Louisiana and which is confined on a supplemented hunting preserve. *Exotics* shall include, but are not limited to, fallow deer, red deer, elk, sika deer, axis deer, and black buck antelope.

Hunting—in its different tenses and for purposes of this Section means to take or attempt to take, in accordance with R.S. 56:8.

Same as Outside—for purposes of this Section means hunting on a supplemented hunting preserve must conform to applicable statutes and rules governing hunting and deer hunting, as provided for in title 56 of the *Louisiana Revised Statutes* and as established annually by the Wildlife and Fisheries Commission.

Supplemented Hunting Preserve—for purposes of this Section means any enclosure for which a current farm-raising license has been issued by the Department of Agriculture and Forestry (LDAF) with concurrence of the LDWF and is authorized in writing by the LDAF and LDWF to permit hunting.

White-Tailed Deer—for purposes of this Rule means any animal of the species *Odocoileus virginianus* which is confined on a supplemented hunting preserve.

b. Seasons:

i. farm-raised white-tailed deer: consult the regulations pamphlet;

ii. exotics: year-round.

- c. Methods of take:
 - i. white-tailed deer: same as outside;
 - ii. exotics: exotics may be taken with traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means; shotguns not larger than 10 gauge, loaded with buckshot or rifled slug; centerfire handguns and rifles no smaller than .22 caliber, rimfire no smaller than .30 caliber, pre-charged pneumatic devices no smaller than .30 caliber and at least 150 grains in weight with a minimum muzzle velocity of 800 feet per second or any combination of bullet weight and muzzle velocity that produces muzzle energy of at least 215 foot pounds of energy or muzzleloading rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle or cap and ball cylinder, using black powder or an approved substitute only, and using ball or bullet projectile, including sabot bullets and any other approved primitive firearms.
- d. Shooting hours:
 - i. white-tailed deer: same as outside;
 - ii. exotics: one-half hour before sunrise to one-half hour after sunset.
- e. Bag limit:
 - i. farm-raised white-tailed deer: same as outside;
 - ii. exotics: no limit.
- f. Hunting licenses:
 - i. white-tailed deer: same as outside;
 - ii. exotics: no person shall hunt any exotic without possessing a valid basic and deer hunting license.
- g. Tagging. White-tailed deer and exotics: each animal shall be tagged in the left ear or left antler immediately upon being killed and before being moved from the site of the kill with a tag provided by the LDAF. The tag shall remain with the carcass at all times.

10. Bobcat. No person other than the holder of a valid basic hunting license may take or possess bobcat, except licensed trappers who may take or possess bobcat during the open trapping season. A basic hunting licensee shall only take bobcat during the time period from one-half hour before sunrise to one-half hour after sunset with approved archery equipment, shotgun, muzzleloader or centerfire firearm. A basic hunting licensee shall not take more than one bobcat per calendar year. This regulation applies only to property that is privately owned, state WMAs, Kisatchie National Forest, and the Bayou des Ourses, Bodcau, Bonnet Carré, and Indian Bayou tracts owned by the Corps of Engineers, but does not apply to state wildlife refuges, or other federally owned refuges and lands. On state WMAs and Kisatchie National Forest, the take of bobcat is restricted to those open seasons on the WMAs which require the respective legal weapons noted above.

D. Hunting—General Provisions

1. A basic resident or non-resident hunting license is required of all persons to hunt, take, possess or cause to be transported by any other person any wild bird or quadruped. See information below for exceptions.

2. No person born on or after September 1, 1969, shall hunt unless that person has first been issued a certificate of satisfactory completion of a firearm and hunter education course approved by the department, except any active or veteran member of the United States armed services or any POST-certified law enforcement officer. Application for the

exemption shall be filed in person at the LDWF main office building in the city of Baton Rouge. A person under 16 years of age may hunt without such certificate if he/she is accompanied by and is under the direct supervision of a person who was born before September 1, 1969, and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department. A person who has not completed the firearm and hunter safety course may be issued a valid hunting license by the department. Such license shall be issued with a restriction that requires that person be accompanied by and under the direct supervision of a person who was born before September 1, 1969 and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department.

3. A deer or turkey license, whichever is appropriate, is required in addition to the basic hunting license to hunt, take, possess or cause to be transported any deer or turkey. Additionally, any person younger than 18 years of age engaged in an activity that necessitates the use of deer tags or turkey tags, or involves participation in a youth lottery hunt shall have in their immediate possession a valid, original youth license.

4. A hunting guide license is required for any person or entity who publicly represents himself to be a hunting guide or who transports, aids or provides assistance to another individual(s) in the act of taking, or attempting to take, any wildlife species for compensation on a transactional or for-hire basis. For purposes of this rule, a hunting guide license is not required for any person or entity employed or contracted by a private hunting club to provide hunting guide services exclusively for the club's private members and its invited guests.

5. Taking game quadrupeds or birds from aircraft or participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

6. Methods of Taking Resident Game Birds and Quadrupeds

a. It is illegal to intentionally feed, deposit, place, distribute, expose, scatter, or cause to be fed, deposited, placed, distributed, exposed, or scattered raw sweet potatoes to wild game quadrupeds.

b. Use of a traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means or a shotgun not larger than a 10 gauge fired from the shoulder shall be legal for taking all resident game birds and quadrupeds. Also, the use of a handgun, rifle and falconry (special permit required) shall be legal for taking all game species except turkey. It shall be illegal to hunt or take squirrels or rabbits at any time with a breech-loaded rifle or handgun larger than .22 caliber, any centerfire firearm, or a muzzleloading firearm larger than .36 caliber. It shall be legal to hunt or take squirrels, rabbits, and outlaw quadrupeds with air rifles.

c. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs is prohibited when or where a still hunting season or area is designated, and will be strictly enforced. Shotguns larger than 10 gauge or capable of holding more than three shells shall be prohibited. Plugs

used in shotguns must be incapable of being removed without disassembly. Refer to game schedules contained within these regulations for specific restrictions on the use of firearms and other devices.

d. No person shall take or kill any game bird or wild quadruped with a firearm fitted with an infrared sight, laser sight, or except as provided in R.S. 56:116(A)(8) any sighting device which projects a beam of light to the target or otherwise electronically illuminates the target, or device specifically designed to enhance vision at night [R.S. 56:116.1(B)(3)(a-b)].

7. Nuisance Animals. Landowners or their designees may remove beaver and nutria causing damage to their property without a special permit. Water set traps and firearms may be used to remove beaver; nutria may be removed by any means except that nutria cannot be taken by the use of headlight and gun between the hours of sunset and sunrise. Any nuisance beaver or nutria trapped or shot outside open trapping season cannot be pelted or sold. A trapping license is required to sell or pelt nuisance beavers or nutria taken during open trapping season. Squirrels found depredating commercial crops of pecans may be taken year-round by permit issued by the LDWF. This permit shall be valid for 30 days from the date of issuance. Contact the local region office for details.

8. Threatened and endangered species. Taking or harassment of any of these species is a violation of state and federal laws. (LAC 76:1.317)

1. Invertebrates		
Pink Mucket	<i>Lampsilis abrupta</i>	E
Louisiana Pearlshell	<i>Margaritifera hembeli</i>	T
Fat Pocketbook	<i>Potamilus capax</i>	E
Inflated Heelsplitter	<i>Potamilus inflatus</i>	T
Rabbitsfoot	<i>Quadrula cylindrica</i>	T
2. Fish		
Gulf Sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	E
Smalltooth Sawfish	<i>Pristis pectinata</i>	E
3. Amphibians		
Dusky Gopher Frog	<i>Lithobates sevosus</i>	E
4. Reptiles (including eggs)		
Loggerhead Sea Turtle	<i>Caretta caretta</i>	T
Green Sea Turtle	<i>Chelonia mydas</i>	T
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	E
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	E
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	E
Ringed Map Turtle	<i>Graptemys oculifera</i>	T
Gopher Tortoise	<i>Gopherus polyphemus</i>	T
Black Pinesnake	<i>Pituophis melanoleucus lodingi</i>	T
Louisiana Pinesnake	<i>Pituophis ruthveni</i>	T
5. Birds (including eggs)		
Whooping Crane	<i>Grus americana</i>	E
Piping Plover	<i>Charadrius melodus</i>	T
Red Knot	<i>Calidris canutus rufa</i>	T
Interior Least Tern	<i>Sternula antillarum athalassos</i>	E
Red-cockaded Woodpecker	<i>Picoides borealis</i>	E

6. Mammals		
West Indian Manatee	<i>Trichechus manatus</i>	T
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	T
Sperm Whale	<i>Physeter macrocephalus</i>	E
Florida Panther	<i>Felis concolor coryi</i>	E
7. Plants		
American Chaffseed	<i>Schwalbea americana</i>	E
Earth-fruit	<i>Geocarpon minimum</i>	T
Louisiana Quillwort	<i>Isoetes louisianensis</i>	E
Pondberry	<i>Lindera melissifolia</i>	E
E = Endangered; T = Threatened		

9. Outlaw Quadrupeds. Holders of a legal hunting license may take coyotes, feral hogs, and armadillos year-round during legal daylight shooting hours. The running of coyotes with dogs is prohibited in all turkey hunting areas during the open turkey season. Coyote hunting is restricted to chase only when using dogs during still hunting segments of the firearm and archery only seasons for deer. Foxes are protected quadrupeds and may be taken only with traps by licensed trappers during the trapping season. Remainder of the year "chase only" allowed by licensed hunters. On private property, outlaw quadrupeds may be taken with or by means of an automatic-loading or hand-operated repeating shotgun capable of holding more than three shells when using buckshot or rifled slug ammunition and may be taken while riding or standing in or upon a moving land vehicle.

10. Nighttime Take of Nuisance Animals and Outlaw Quadrupeds. On private property, the landowner, or his lessee or agent with written permission from the landowner and the landowner's contact information in his possession, may take outlaw quadrupeds (coyotes, armadillos and feral hogs), nutria, or beaver during nighttime hours. However, no person shall be allowed to participate or be present during the nighttime hunting activities if convicted of a Class 3 or greater wildlife violation within the previous five years or if he has any other prohibition which would prevent the legal use of a firearm or participation in a hunting activity. Such taking may be with or without the aid of artificial light, infrared or laser sighting devices, or night vision devices. In addition, pursuant to R.S. 56:116(D)(3) any person who is authorized to possess a firearm suppressor may use a firearm fitted with a sound suppressor when taking outlaw quadrupeds, nutria, or beaver. Any person attempting to take outlaw quadrupeds, nutria, or beaver under the provisions of the Paragraph, shall notify the Sheriff of the Parish in which the property is located of his intention to attempt to take outlaw quadrupeds, nutria or beaver within twenty-four hours prior to the attempted taking or immediately upon taking the animal.

11. Hunting and/or Discharging Firearms on Public Roads. Hunting, standing, loitering or shooting game quadrupeds or game birds while on a public road or public road right-of-way is prohibited. Hunting or discharging a firearm on or across an open LMV road or LMV road right-of-way is prohibited. Spot lighting or shining from public roads is prohibited by state law. Hunting from all public roads and public road rights-of-way is prohibited.

12. Tags. Any part of the deer or wild turkey divided shall have affixed thereto the name, date, address and deer or turkey or youth license number, whichever is the appropriate license, of the person killing the deer or wild turkey and the sex of that animal. This information shall be legibly written in pen or pencil, on any piece of paper or cardboard or any material, which is attached or secured to or enclosing the part or parts. See DMAP Regulations (LAC 76:V.111) for deer management assistance tagging requirements on lands enrolled in DMAP.

13. Sex Identification. Positive evidence of sex identification, including the head or sex organs, shall remain on any deer taken or killed within the state of Louisiana, or on all turkeys taken or killed so long as such deer or turkey is kept in camp or field, or is in route to the domicile of its possessor, or until a deer has been appropriately tagged and validated, and proof of electronic tagging or the carcass tag remains with the carcass, or until such deer or turkey has been stored at the domicile of its possessor or divided at a cold storage facility and has become identifiable as food rather than as wild game. Possessors of any portion of a deer or wild turkey, which has been divided in camp or field, without evidence of positive sex identification shall affix a tag in accordance with LAC 76:XIX.111.D.12 identifying the sex of the animal.

14. Use of Drones for the Recovery of Wounded Deer or Bear. The use of Unmanned Aerial Vehicles (UAV) (commonly referred to as a drone) to aid in the recovery of a wounded deer or bear is prohibited.

E. General Deer Hunting Regulations

1. Prior to hunting deer, all deer hunters, regardless of age or license status, must obtain carcass or electronic deer tags and have in possession when hunting deer. Immediately upon harvesting a deer, the hunter must tag the deer with the appropriate carcass or electronic tag. Deer tags may only be used by the hunter to whom the tag was issued. Hunters who allow their deer tags to be used by another person, or who use tags issued to another person, are in violation of this Rule and are subject to fines and other administrative penalties, including, but not limited to, the automatic forfeiture of any remaining deer tags for the season for which they are issued. If using physical tag, the parish and date of kill must be documented on the deer tag and the hunter must validate the harvest by calling the validation toll free number or by utilizing the department's website within 72 hours of the kill. Hunters utilizing electronic tags shall electronically tag and validate their harvest before moving the deer. Hunters harvesting deer on DMAP lands can validate deer per instructions by LDWF using the DMAP harvest data sheets.

2. 2025-2026 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou Area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days. Deer harvested on property enrolled in DMAP may not count in the season or

daily bag limit for hunters. See DMAP Regulations (LAC 76:V.111) for more information.

3. 2026-2027 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou Area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days. Deer harvested on property enrolled in DMAP may not count in the season or daily bag limit for hunters. See DMAP Regulations (LAC 76:V.111) for more information.

4. *Bucks Only and Legal Antlered Deer* are defined as a deer with at least one visible antler of hardened bony material, broken naturally through the skin. Killing antlerless deer is prohibited except where specifically allowed.

5. *Either-Sex deer* is defined as male or female deer. Taking or possessing spotted fawns is prohibited.

6. It is illegal to hunt or shoot deer with centerfire firearms smaller than .22 caliber, rimfire firearms smaller than .30 caliber, or a shotgun loaded with anything other than buckshot or slug. Pre-charged pneumatic devices may be used during the modern firearm season for deer provided that they fire a projectile of at least .30 caliber in diameter and at least 150 grains in weight with a minimum muzzle velocity of 800 feet per second or any combination of bullet weight and muzzle velocity that produces muzzle energy of at least 215 foot pounds of energy. Arrows or bolts used with a pre-charged pneumatic device shall only be used with well sharpened broadhead points and may be used to hunt deer only during modern firearm deer season. Handguns may be used for hunting.

7. Taking game quadrupeds or birds from aircraft, participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

8. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs or moving vehicles, including ATVs, when or where a still hunting season or area is designated, is prohibited and will be strictly enforced. The training of deer dogs is prohibited in all still hunting areas during the gun still hunting and archery only season. Deer hunting with dogs is allowed in all other areas having open deer seasons that are not specifically designated as still hunting only. A dog may be used to trail and retrieve mortally wounded deer. Except in Wildlife Management Areas, a licensed hunter or tracker may pursue a deer that was legally shot and mortally wounded during legal hunting hours, after legal hunting hours, and to dispatch the deer if the deer is found alive. The licensed hunter or tracker pursuing the mortally wounded deer may utilize lights and a blood-trailing or tracking dog. No more than one dog may be used per tracking party in pursuit of the wounded deer. A second dog may be utilized for the purpose of deer retrieval training. Tracking dogs shall be on a handheld leash or utilize a GPS tracking collar. Any wounded deer, discovered alive, may be dispatched by the licensed hunter or tracker using a centerfire handgun with a

barrel no longer than six inches, caliber no larger than .45 or smaller than .25.

9. It is illegal to take deer while deer are swimming or while the hunter is in a boat with motor attached in operating position; however the restriction in this Paragraph shall not apply to any person who has lost one or more limbs.

10. Areas not specifically designated as open are closed.

11. It is unlawful to import, sell, use or possess scents or lures that contain natural deer urine or other bodily fluids, except natural deer urine products produced by manufacturers or entities that are actively enrolled and participating in either the Responsible Hunting Scent Association (RHSA) or Archery Trade Association Deer Protection Program, which has been tested using real-time quaking induced conversion (RT-QuIC) and certified that no detectable levels of Chronic Wasting Disease (CWD) are present and is clearly labeled as such.

12. Primitive Firearms Season: Still Hunt Only. Specific WMAs will also be open, check WMA schedule for specific details. A deer or senior license, whichever is appropriate, is required for all hunters 18 years of age and older. Additionally, any person younger than 18 years of age hunting the primitive firearms season shall have in their immediate possession a valid, original youth license. Either-sex deer may be taken in all areas open for deer hunting except when a Bucks Only season is in progress. In such cases, hunters must conform to the bucks only regulations except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest.

a. Legal Firearms for Primitive Firearms Season

i. Rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle, use black powder or approved substitute only, take ball, shot, or bullet projectile only, including sabot bullets, and may be fitted with magnified scopes.

ii. Single shot, breech loading rifles or single shot, breech loading pistols, .35 caliber or larger, having an exposed hammer, that use metallic cartridges loaded either with black powder or modern smokeless powder, and may be fitted with magnified scopes.

iii. Single shot, breech loading shotguns, 10 gauge or smaller, having an exposed hammer, loaded with buckshot or slug.

iv. Youths 17 or younger or individuals 65 or older may hunt deer with any legal weapon during the primitive firearms season in each deer hunting area.

13. Archery Season. A deer or senior license, whichever is appropriate, is required for all bow hunters 18 years of age and older. Additionally, any person younger than 18 years of age archery deer hunting shall have in their immediate possession a valid, original youth license. Either-sex deer may be taken in all areas open for deer hunting except when a bucks only season is in progress for gun hunting, and except in areas 5, 6 and 9 from October 1-15. Archers must conform to the bucks only regulations except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest. Either-sex deer may be taken on WMAs at any time during archery

season except when bucks only seasons are in progress on the respective WMA.

a. Bow and Arrow Regulations. Traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means will be a legal means of take for all properly licensed hunters. Hunting arrows for deer must have well-sharpened broadhead points. Bow and arrow fishermen must have a sport fishing license and may not carry any arrows with broadhead points unless a deer or turkey season is in progress.

i. It is unlawful:

(a). to have in possession or use any poisoned or drugged arrow or arrows with explosive tips;

(b). to hunt deer with a bow having a pull less than 30 pounds;

(c). to hunt with a bow or crossbow fitted with an infrared, laser sight, electrically-operated sight or device specifically designed to enhance vision at night (does not include non-projecting red dot sights) [R.S. 56:116.1.B.(4)].

14. Hunter Orange or Blaze Pink. Any person hunting any wildlife during the open gun deer hunting season and possessing buckshot, slugs, a primitive firearm, or a centerfire rifle shall display on his head, chest and/or back a total of not less than 400 square inches of "hunter orange" or "blaze pink". Persons hunting on privately owned land may wear a "hunter orange" or "blaze pink" cap or hat in lieu of the 400 square inches. These provisions shall not apply to persons hunting deer from elevated stands on property that is privately owned or to archery deer hunters hunting on lands where firearm hunting is not allowed by agreement of the landowner or lessee. However, anyone hunting deer on such lands where hunting with firearms is allowed shall be required to display the 400 square inches or a "hunter orange" or "blaze pink" cap or hat while walking to and from elevated stands. While a person is hunting from an elevated stand, the 400 square inches or cap or hat may be concealed. Warning: deer hunters are cautioned to watch for persons hunting other game or engaged in activities not requiring "hunter orange" or "blaze pink".

15. Physically Challenged Firearms Season on Private Lands (Either-Sex): first Saturday of October for two days. Restricted to individuals with physically challenged hunter permit.

16. Youth and Honorably Discharged Veterans Season on Private Lands (Either-Sex). Areas 1, 4, 5, 6 and 9: last Saturday of October for seven days; Area 2: second Saturday of October for seven days; and Areas 3, 7, 8 and 10: fourth Saturday of September for seven days. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Additionally, any person younger than 18 years of age shall have in their immediate possession a valid, original youth license. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times. Except youths 12 years old or older who have successfully

completed a hunter safety course may hunt without a supervising adult. One of the following must be carried by veterans while hunting:

a. Louisiana OMV issued U.S. Veterans Driver's License; or

b. U.S. Department of Defense Form 214 or one of the following DD_214 equivalents:

i. pre DD 214 era documents (1941_1950):

(a). WE AGO (war department adjutant general) forms, to include WD AGO 53, WD AGO 55, WD AGO 53_55;

(b). JAVPERS (naval personnel) discharge documents, to include NAVPERS 553, NAVMC78PD, NAVCG 553;

ii. National Personnel Records Center NPRC "statement of service," issued as a result of a destroyed discharge record during the 1973 National Archives fire;

iii. National Guard/Air National Guard must have NGB_22 with 6 or more years of service.

F. Description of Areas

1. Area 1

a. All of the following parishes are open: Concordia, East Carroll, Franklin, Madison, Richland, Tensas, West Carroll.

i. High water benchmark closure. Deer hunting in that portion of Madison Parish, east of US-65 and north of the Port Elevator Road, and all lands east of US-65 in East Carroll Parish, will be archery hunting only once the Mississippi River water level at Vicksburg reaches 43.0 feet MSL (flood stage) and will reopen once level recedes below 41.0 feet MSL.

b. Portions of the following parishes are also open:

i. Catahoula—east of Boeuf River to Ouachita River, east of Ouachita River from its confluence with Boeuf River to LA 8, south and east of LA 8 southwesterly to parish line;

ii. Grant—east of US 165 and south of LA 8;

iii. LaSalle—south of a line beginning where Little River enters Catahoula Lake following the center of the lake eastward to Old River then to US 84, east of US 84 northward to LA 8, south of LA 8 eastward to parish line;

iv. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Brake;

v. Rapides—east of US 165 and north of Red River.

c. Still hunting only in all or portions of the following parishes:

i. Catahoula—south of Deer Creek to Boeuf River, east of Boeuf and Ouachita Rivers to LA 8 at Harrisonburg, west of LA 8 to LA 913, west of LA 913 and LA 15 to Deer Creek;

ii. East Carroll—all;

iii. Franklin—all;

iv. Morehouse—east of US 165 (from Arkansas state line) to Bonita, south and east of LA 140 to junction of LA 830-4 (Cooper Lake Road), east of LA 830-4 to Bastrop, east of LA 139 at Bastrop to junction of LA 593, east and north of LA 593 to Collinston, east of LA 138 to junction of LA 134 and south of LA 134 to Ouachita line at Wham Brake;

v. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Brake;

vi. Richland—all;

vii. West Carroll—all.

2. Area 2

a. All of the following parishes are open:

i. Bienville, Bossier, Caddo, Caldwell, Claiborne, DeSoto, Jackson, Lincoln, Natchitoches, Red River, Sabine, Union, Webster, Winn;

ii. except: Kisatchie National Forest which has special regulations. Caney, Corney, Middlefork tracts of Kisatchie have the same regulations as area 2, except still hunting only for deer.

b. Portions of the following parishes are also open:

i. Allen—north of US 190 from parish line westward to Kinder, east of US 165 from Kinder northward to LA 10 at Oakdale, north of LA 10 from Oakdale westward to the parish line;

ii. Avoyelles—that portion west of I-49;

iii. Catahoula—west of Boeuf River to Ouachita River, west of Ouachita River from its confluence with Boeuf River to LA 8, north and west of LA 8 southwesterly to parish line;

iv. Evangeline—all except the following portions: east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte, and north of US 167 east of Ville Platte;

v. Grant—all except that portion south of LA 8 and east of US 165;

vi. Jefferson Davis—north of US 190;

vii. LaSalle—north of a line beginning where Little River enters Catahoula Lake, following the center of the lake eastward to Old River then to US 84, west of US 84 northward to LA 8, north of LA 8 eastward to parish line;

viii. Morehouse—west of US 165 (from Arkansas state line) to Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to Bastrop, west of LA 139 to junction of LA 593, west and south of LA 593 to Collinston, west of LA 138 to junction of LA 134 and north of LA 134 to Ouachita Parish line at Wham Brake;

ix. Ouachita—all except south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse Parish line at Wham Brake;

x. Rapides—all except north of Red River and east of US 165, south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill, and north of LA 113 from Union Hill to Vernon Parish line, and that portion south of Alexandria between Red River and US 167 to junction of US 167 with I-49 at Turkey Creek exit, east of I-49 southward to parish line;

xi. Vernon—north of LA 10 from the parish line westward to LA 113, south of LA 113 eastward to parish line. Also the portion north of LA 465 west of LA 117 from Kurthwood to Leesville and north of LA 8 from Leesville to Texas state line.

c. Still hunting only in all or portions of the following parishes:

i. Claiborne and Webster—Caney, Corney and Middlefork tracts of Kisatchie National Forest (see Kisatchie National Forest regulations);

ii. Ouachita—east of Ouachita River;

iii. Rapides—west of US 167 from Alexandria southward to I-49 at Turkey Creek exit, west of I-49 southward to parish line, north of parish line westward to US 165, east of US 165 northward to US 167 at Alexandria. North of LA 465 from Vernon Parish line to LA 121, west of LA 121 to I-49, west of I-49 to LA 8, south and east of LA 8 to LA 118 (Mora Road), south and west of LA 118 to Natchitoches Parish line;

iv. Vernon—east of Mora-Hutton Road from Natchitoches Parish line to Hillman Loop Road, south and east of Hillman Loop Road to Comrade Road, south of Comrade Road to LA 465, east and north of LA 465 to Rapides Parish line.

3. Area 3

a. Portions of the following parishes are open:

i. Acadia—north of I-10;

ii. Allen—south of LA 10 eastward to US 165 at Oakdale, west of US 165 at Oakdale southward to US 190 at Kinder, south of US 190 at Kinder eastward to parish line;

iii. Beauregard—east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;

iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;

v. Jefferson Davis—north of I-10 and south of US 190;

vi. Lafayette—west of I-49 and north of I-10;

vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;

viii. St. Landry—west of US 167;

ix. Vernon—east of LA 113 to Pitkin, south of LA 10 to Allen Parish line, west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.

b. Still hunting only for portions of the following parishes:

i. Acadia—north of I-10;

ii. Allen—south of US 190 and west of LA 113;

iii. Beauregard—west of LA 113 and east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;

iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;

v. Jefferson Davis—north of I-10 and south of US 190;

vi. Lafayette—west of I-49 and north of I-10;

vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;

viii. St. Landry—west of US 167;

ix. Vernon—west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.

4. Area 4

a. All of St. Helena and Washington Parishes are open.

b. Portions of the following parishes are also open:

i. East Baton Rouge—all except that portion west of I-110 and west of US 61;

ii. East Feliciana—east of US 61;

iii. Livingston—north of I-12;

iv. Tangipahoa—north of I-12;

v. St. Tammany—all except that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain.

c. Still hunting only in all or portions of the following parishes:

i. East Feliciana and East Baton Rouge—east of Thompson Creek from the Mississippi state line to LA 10, north of LA 10 from Thompson Creek to LA 67 at Clinton, west of LA 67 from Clinton to Mississippi state line, south of Mississippi state line from LA 67 to Thompson Creek. Also that portion of East Baton Rouge Parish east of LA 67 from LA 64 north to Parish Line, south of Parish Line from LA 64 eastward to Amite River, west of Amite River southward to LA 64, north of LA 64 to LA 37 at Magnolia, east of LA 37 northward to LA 64 at Indian Mound, north of LA 64 from Indian Mound to LA 67. Also, that portion of East Feliciana Parish east of LA 67 from parish line north to LA 959, south of LA 959 east to LA 63, west of LA 63 to Amite River, west of Amite River southward to parish line, north of parish line westward to LA 67;

ii. St. Helena—north of LA 16 from Tickfaw River at Montpelier westward to LA 449, east and south of LA 449 from LA 16 at Pine Grove northward to Rohner Road, south of Rohner Road to LA 1045, south of LA 1045 to the Tickfaw River, west of the Tickfaw River from LA 1045 southward to LA 16 at Montpelier;

iii. Tangipahoa—that portion of Tangipahoa Parish north of LA 10 from the Tchefuncte River to LA 1061 at Wilmer, east of LA 1061 to LA 440 at Bolivar, south of LA 440 to the Tchefuncte River, west of the Tchefuncte River from LA 440 southward to LA 10;

iv. Washington and St. Tammany—east of LA 21 from the Mississippi state line southward to the Bogue Chitto River, north of the Bogue Chitto River from LA 21 eastward to the Pearl River Navigation Canal, east of the Pearl River Navigation Canal southward to the West Pearl River, north of the West Pearl River from the Pearl River Navigation Canal to Holmes Bayou, west of Holmes Bayou from the West Pearl River northward to the Pearl River, west of the Pearl River from Holmes Bayou northward to the Mississippi state line, south of the Mississippi state line from the Pearl River westward to LA 21. Also, that portion of Washington Parish west of LA 25 from the Mississippi state line southward to the Bogue Chitto River, then west of the Bogue Chitto River to its junction with the St. Tammany Parish line, north of the St. Tammany Parish line to the Tangipahoa Parish line, east of the Tangipahoa Parish line to the Mississippi state line, south of the Mississippi state line to its junction with LA 25.

5. Area 5

- a. Portions of the following parishes are open:
 - i. St. Martin—south of I-10 and east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;
 - ii. Iberville—south of I-10 and west of the East Atchafalaya Basin Protection Levee;
 - iii. Iberia—east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;
 - iv. St. Mary—east of the West Atchafalaya Basin Protection Levee;
 - v. High water benchmark closure. Deer hunting in those portions of Iberville and St. Martin parishes south of I-10, west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee, and north of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 18 feet msl at Butte LaRose, and will reopen when the river stage recedes to 17 feet msl at Butte LaRose. Deer hunting in those portions of Iberville, St. Martin, St. Mary and Iberia parishes west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee and south of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose, and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

6. Area 6

- a. All of West Feliciana and Pointe Coupee Parishes are open.
- b. Portions of the following parishes are also open:
 - i. Avoyelles—all except that portion west of I-49;
 - ii. East Baton Rouge—that portion west of I-110 and west of US 61;
 - iii. East Feliciana—west of US 61;
 - iv. Evangeline—that portion east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte and north of US 167 east of Ville Platte;
 - v. Iberville—all north of I-10, and that portion south of I-10 at the Atchafalaya Basin protection levee south to Upper Grand River, then north of Upper Grand River to the Intracoastal Canal at Jack Miller, then west of the Intracoastal Canal northward to Bayou Plaquemine, then north of Bayou Plaquemine to the Mississippi River;
 - vi. Lafayette—north of I-10 and east of I-49;
 - vii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;
 - viii. St. Landry—east of US 167;
 - ix. St. Martin—north of I-10;
 - x. West Baton Rouge—north of I-10.
- c. Still hunting only in all or portions of the following parishes:
 - i. Avoyelles—north of LA 1 from Simmesport westward to LA 115 at Marksville, east of LA 115 from Marksville northward to the Red River near Moncla, south and west of the Red River to LA 1 at Simmesport;
 - ii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

- iii. West Feliciana—west of Thompson Creek to Illinois-Central Railroad, north of Illinois-Central Railroad to LA 964, east of LA 964 northward to US 61, north of US 61 westward to the junction of US 61 and LA 966, east of LA 966 from US 61 to Chaney Creek, south of Chaney Creek to Thompson Creek.

7. Area 7

- a. Portions of the following parishes are open:
 - i. Iberia—south of LA 14 and west of US 90;
 - ii. St. Mary—all except that portion north of US 90 from Iberia Parish line eastward to Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River.

8. Area 8

- a. Portions of the following parishes are open:
 - i. Beauregard—that portion west of LA 27 from parish line northward to DeRidder, south of US 190 from DeRidder to Texas state line;
 - ii. Calcasieu—that portion west of LA 27 from the parish line southward to Sulphur and north of I-10 from Sulphur to the Texas state line.

9. Area 9

- a. All of the following parishes are open: Ascension, Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John, Terrebonne.
- b. Portions of the following parishes are open:
 - i. Iberia—east of US 90 and west of the West Atchafalaya Basin Protection Levee and east of the East Atchafalaya Basin Protection Levee;
 - ii. Iberville—east of the East Atchafalaya Basin Protection Levee and south of Upper Grand River to the Intracoastal Canal to Bayou Plaquemines, then south of Bayou Plaquemines to the Mississippi River;
 - iii. Lafayette—south of I-10 and east of US 90;
 - iv. Livingston—south of I-12;
 - v. St. Martin—west of the Atchafalaya Basin Protection Levee and south of I-10. East of the East Atchafalaya Basin Protection Levee and south of I-10;
 - vi. St. Mary—east of US 90 from Iberia Parish line to the Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River except for portion within the East and West Atchafalaya Basin Protection Levees;
 - vii. St. Tammany—that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain;
 - viii. Tangipahoa—south of I-12.
- c. Still hunting only in all or portions of the following parishes:
 - i. Iberville—east of the Mississippi River;
 - ii. Plaquemines—east of the Mississippi River;
 - iii. St. Bernard—all of the parish shall be still hunting only except that portion of St. Bernard known as the spoil area between the MRGO on the east and Access Canal on the west, south of Bayou Bienvenue and north of Bayou la Loutre;
 - iv. St. John—south of Pass Manchac from Lake Pontchartrain to US 51, east of US 51 from Pass Manchac to

LA 638 (Frenier Beach Road). North of LA 638 from US 51 to Lake Pontchartrain, west of Lake Pontchartrain from LA 638 to Pass Manchac.

10. Area 10

a. All of Cameron and Vermillion Parishes are open.

b. Portions of the following parishes are open:

- i. Acadia—south of I-10;
- ii. Calcasieu—south of I-10;
- iii. Iberia—west of US 90 and north of LA 14;
- iv. Jefferson Davis—south of I-10;
- v. Lafayette—south of I-10 and west of Hwy 90.

G. WMA Regulations

1. General

a. The following rules and regulations concerning the management, protection and harvest of wildlife have been officially approved and adopted by the Wildlife and Fisheries Commission in accordance with the authority provided in *Louisiana Revised Statutes* of 1950, section 109 of title 56. Failure to comply with these regulations will subject individual to citation and/or expulsion from the management area.

b. Citizens are cautioned that by entering a WMA managed by the LDWF they may be subjecting themselves and/or their vehicles to game and/or license checks, inspections and searches.

c. WMA seasons may be altered or closed anytime by the LDWF secretary in emergency situations (floods, fire or other critical circumstances).

d. Hunters may enter the WMA no earlier than 4 a.m. unless otherwise specified. Hunters must check out and exit the WMA no later than two hours after sunset, or as otherwise specified.

e. All privately owned property which is completely surrounded by a wildlife management area shall be subject to all state hunting and fishing provisions, including those provisions regarding seasons. Such private property shall not be subject to the special hunting and fishing provisions which govern the wildlife management area, except that deer may not be taken with the aid of dogs. However, the owner or lessee of such property shall be required to participate in the deer management assistance program provided for in R.S. 56:110. In addition, the owner or lessee of such property shall not be allowed to hunt, trap or take resident game by the aid of baiting or placing bait intended to attract or entice the resident game to the area where hunters are attempting to take them.

f. Dumping garbage or trash on WMAs is prohibited. Garbage and trash may be properly disposed of in designated locations if provided.

g. Disorderly conduct or hunting under influence of alcoholic beverages, chemicals and other similar substances is prohibited.

h. Damage to or removal of trees, shrubs, hard mast (including but not limited to acorns and pecans), wild plants, non-game wildlife (including reptiles and amphibians) or any species of butterflies, skippers or moths is prohibited without a permit from the LDWF. Gathering and/or removal of American lotus (*grande volée*, *Nelumbo lutea*) seeds and pods, soft fruits, mushrooms and berries shall be limited to five gallons per person per day.

i. Burning of marshes is prohibited. Hunting actively burning marsh is prohibited.

j. Nature Trails. Trails shall be limited to pedestrians only. No vehicles, ATVs, horses, mules, bicycles, etc. allowed. Removal of vegetation (standing or down) or other natural material prohibited.

k. Deer seasons are for legal antlered deer unless otherwise specified.

l. Small game, when listed under the WMA regulations may include both resident game animals and game birds as well as migratory species of birds.

m. Oysters may not be harvested from any WMA, except that oysters may be harvested from private oyster leases and state seed grounds located within a WMA, when authorized by the Wildlife and Fisheries Commission and upon approval by the Department of Health.

n. Free ranging livestock prohibited.

o. Operation of drones or unmanned aerial vehicles (UAV) on WMAs is prohibited.

p. Operating, modifying, tampering with or altering any water control structures on WMAs is prohibited.

q. Limited Access Areas (LAA): Operation of internal combustion powered vessels prohibited September through January. Operation of trolling motors allowed. A *trolling motor* is defined as a self-contained unit that includes a completely submerged electric motor at the end of the shaft, propeller and controls, and is affixed to a vessel, either at the bow or stern. Vehicles prohibited November through January. Limited access areas are on Atchafalaya Delta, Boeuf, Dewey W. Wills, Joyce, Manchac, Pass-a-Loutre, Pointe-aux-Chenes, Pomme de Terre and Russell Sage WMAs. See WMA maps for specific locations.

r. Trail cameras are prohibited.

s. Any person entering or utilizing a LDWF designated shooting range must comply with posted range rules and Range Safety Officer (if present) commands.

2. Permits

a. A valid WMA access permit shall be required for use of department-administered lands including wildlife refuges, Wildlife Management Areas (WMA) and Wildlife Conservation Areas (WCA). Persons under 18 years of age are exempt from this requirement. WMA access permits are not required for persons only traveling through the department-administered lands provided that the most direct route is taken and no activities or stops take place.

b. Self-Clearing Permits. A self-clearing permit is required for all activities (hunting, fishing, hiking, bird watching, sightseeing, etc.) on WMAs. The self-clearing permit will consist of two portions: check in, check out. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA self-clearing permit from an information station. Users may check in one day in advance of use. Users that check in by electronic means are required to possess proof of check in and must check out within 24 hours. If utilizing paper self-clearing permit from an information station, check in portion must be completed and put in a permit box before each day's activity. The check-out portion must be carried by each person while on the WMA and must be completed and put in a permit box immediately upon exiting the WMA. No permit is required of fishers and

boaters who do not travel on a WMA road and/or launch on the WMA as long as they do not get out of the boat and onto the WMA. When mandatory deer checks are specified on WMAs, hunters must check deer at a check station. When mandatory check in for deer seasons is specified on WMAs, hunters must check in at designated locations, and obtain a daily hunt permit. Self-clearing permits are not required for persons only traveling through the WMA provided that the most direct route is taken and no activities or stops take place.

3. Special Seasons

a. Youth Deer Hunt. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult was born before September 1, 1969 and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department, this requirement is waived for the youth. Additionally, any youth participating in the hunt shall have in their immediate possession a valid, original youth license. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Contact the appropriate region office for maps of specific hunting areas. Either-sex deer may be taken on WMAs with youth hunts. Consult the regulations pamphlet for WMAs offering youth hunts.

NOTE: Some hunts may be by pre-application lottery.

b. Youth Squirrel Hunt (on selected WMAs only). Only youths 17 or younger may hunt. Squirrel, rabbit, raccoon, hogs and opossum may be taken. No dogs allowed. All other seasons will remain open to other hunters. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult was born before September 1, 1969 and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Self-clearing permits are required. Consult the regulations pamphlet for WMAs offering youth squirrel hunts.

c. Youth Mourning Dove Hunt. A youth mourning dove hunt will be conducted on specific WMAs and will follow the same regulations provided for youth deer hunts on the first or second weekend of the mourning dove season (Saturday and/or Sunday only). Consult the regulations pamphlet for WMAs offering youth mourning dove hunts.

d. Physically Challenged Season. An either-sex deer season will be held for hunters possessing a physically challenged hunter permit on WMAs during the dates specified under the individual WMA. Participants must

possess a physically challenged hunter permit. Contact region office for permit application and map of specific hunting area. Consult the regulations pamphlet for WMAs offering physically challenged seasons.

e. Turkey Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadlines. Contact region offices for more details.

f. Waterfowl Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadline. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

g. Mourning Dove Lottery Hunts. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

h. Trapping. Consult annual trapping regulations for specific dates. All traps must be run daily. Traps with teeth are illegal. Hunter orange required when a deer gun season is in progress.

i. Raccoon Hunting. A licensed hunter may take raccoon or opossum, two per person per day, during daylight hours only, during the open hunting season in progress on WMAs.

Nighttime Experimental—all nighttime raccoon hunting where allowed is with dogs only. There is no bag limit. Self-clearing permit required.

j. Sport Fishing. Sport fishing, crawfishing and frogging are allowed on WMAs when in compliance with current laws and regulations except as otherwise specified under individual WMA listings.

k. Small Game Emphasis Areas. Specially designated areas on certain WMAs will allow small game hunting with dogs, confined to that specific area when the remainder of the WMA is restricted to still hunt only. Additionally, off season training of rabbit and bird dogs may be allowed on some of the small game emphasis areas. Small game emphasis areas are offered on Big Colewa Bayou, Bayou Macon, Bodcau, Boeuf, Dewey W. Wills, John Franks, Marsh Bayou, Pomme de Terre, Richard K. Yancey, Russell Sage, Sandy Hollow, Sherburne, Tunica Hills and Walnut Hill WMAs.

4. Firearms

a. Firearms having live ammunition in the chamber and crossbows cocked in the ready position are not allowed in or on vehicles, boats under power, motorcycles, ATVs, UTVs, ATCs, WMA check stations, or in camping areas on WMAs.

b. Rifles, shotguns, pre-charged pneumatic devices, and bows and arrows are not allowed on WMAs during closed seasons except on designated shooting ranges or as permitted for trapping and except as allowed pursuant to R.S. 56:109(C) and for purposes of transport pursuant to R.S. 56:1691. Bows and broadhead arrows are not allowed on WMAs except during deer archery season, turkey season or as permitted for bowfishing. Any person who meets the qualification of R.S. 14:95(M) may possess handguns on WMAs provided these firearms are not used for any hunting purpose.

c. Hunting with the following firearms or ammunition on any WMA is prohibited, except during modern or primitive firearm deer seasons, or a firearm season established on any WMA for feral hogs:

- i. centerfire rifles;
- ii. centerfire break-action and centerfire bolt-action handguns;
- iii. centerfire scoped handguns;
- iv. shotgun slugs or shot larger than BB lead or F steel. Possession of such ammunition in the presence of a shotgun during closed season shall create a rebuttable presumption of hunting activity.

d. Target shooting and other forms of practice shooting are prohibited on WMAs except as otherwise specified.

e. Discharging of firearms on or across, or hunting from designated roads, ATV/UTV trails, nature trails, hiking trails, and their rights-of-way is prohibited during the modern firearms and primitive firearms deer seasons.

5. Methods of Taking Game

a. Moving deer or hogs on a WMA with organized drives and standers, drivers or making use of noises or noise-making devices is prohibited.

b. On WMAs, except Floy McElroy WMA, the daily limit shall be one antlered deer and one antlerless deer (when legal) per day, not to exceed the Deer Area limit for the Deer Area that a WMA is contained within (all segments included) by all methods of take.

c. Baiting, hunting over bait, or possession of bait is prohibited on all WMAs, except bait may be kept in a vehicle traversing a WMA road or parked on a WMA road. Bait is defined as any substance used to attract game via ingestion.

d. During mandatory deer check hunts, deer may not be skinned nor have any external body parts removed including but not limited to feet, legs, tail, head or ears before being checked out.

e. Deer hunting on WMAs is restricted to still hunting only.

f. Construction of and/or hunting from permanent tree stands or permanent blinds on WMAs is prohibited. Any permanent stand or permanent blind will be removed and destroyed. A permanent blind is any blind using non-natural materials or having a frame which is not dismantled within two hours after the end of legal shooting time each day. Blinds with frames of wood, plastic, metal poles, wire, mesh, webbing or other materials may be used but must be removed from the WMA within two hours after the end of legal shooting time each day. Blinds made solely of natural vegetation and not held together by nails or other metallic fasteners may be left in place but cannot be used to reserve hunting locations. Natural vegetation (including any material used as corner posts) is defined as natural branches that are 2 inches or less in diameter. All decoys must be removed from the WMA daily. Permanent tree stands are any stands that use nails, screws, spikes, etc., to attach to trees and are strictly prohibited. Deer stands may not be left on WMAs unless the stands are removed from trees, placed flat on the ground, and left in a non-hunting position (a non-hunting position is one in which a hunter could not hunt from the stand in its present position). Also, all stands left must be legibly tagged with the user's LDWF ID number. No stand may be left on any WMA prior to the day before deer season opens on that WMA and all stands must be removed from the WMA within one day after the close of deer hunting on

that WMA. Free standing blinds must be disassembled when not in use. Stands left will not reserve hunting sites for the owner or user. All portable stands, blinds, tripods, etc., found unattended in a hunting position, not placed flat on the ground, or untagged will be confiscated and disposed of by the LDWF. LDWF is not responsible for unattended stands left on an area.

g. Physically Challenged Wheelchair Confined Deer and Waterfowl Hunting Areas: special deer and waterfowl hunting areas, blinds and stands identified with LDWF logos, have been established for physically challenged hunter permit (PCHP) wheelchair confined hunters on WMAs. Hunters must obtain a PCHP permit and are required to make reservations to use blinds and stands. PCHP wheelchair hunting areas are available on Alexander State Forest, Bayou Pierre, Big Colewa Bayou, Buckhorn, Clear Creek, Floy McElroy, Fort Johnson-Vernon, Sandy Hollow, Sherburne, and West Bay WMAs. Check WMA hunting schedules or call the LDWF field offices in Pineville, Lafayette, Lake Charles, Minden, Monroe or Hammond for information.

h. Hunting from utility poles and structures, and oil and gas exploration facilities or platforms is prohibited.

i. It is illegal to save or reserve hunting locations using permanent stands or blinds. Stands or blinds attached to trees with screws, nails, spikes, etc. are illegal.

j. Tree climbing spurs, spikes or screw-in steps are prohibited.

k. Unattended decoys will be confiscated and forfeited to the LDWF and disposed of by the LDWF. This action is necessary to prevent preemption of hunting space.

l. Spot lighting (shining) from vehicles is prohibited on all WMAs.

m. Horses and mules may be ridden on WMAs except where prohibited and except during gun seasons for deer and turkey. Riding is restricted to designated roads and trails depicted on WMA map, self-clearing permit is required. Organized trail rides prohibited except allowed by permit only on Esler Field. Hunting and trapping from horses and mules is prohibited except for quail hunting or as otherwise specified. Horse-drawn conveyances are prohibited.

n. All hunters (including archers and small game hunters) except waterfowl hunters and mourning dove hunters on WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during open gun season for deer. Quail and woodcock hunters and hunters participating in special dog seasons for rabbit, squirrel and feral hogs are required to wear a minimum of a "hunter orange" or "blaze pink" cap. All other hunters and archers (while on the ground) except waterfowl hunters also must wear a minimum of a "hunter orange" or "blaze pink" cap during special dog seasons for rabbit and squirrel and feral hogs. Also all persons afield during hunting seasons are encouraged to display "hunter orange" or "blaze pink". Hunters participating in special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap.

o. Deer hunters hunting from concealed ground blinds must display a minimum of 400 square inches of "hunter orange" or "blaze pink" above or around their blinds which is visible from 360 degrees.

p. Archery Season for Deer. The archery season on WMAs is the same as outside and is open for either-sex deer except as otherwise specified on individual WMAs. Archery season restricted on Atchafalaya Delta and closed on certain WMAs when special seasons for youth or physically challenged hunts are in progress. Consult regulations pamphlet for specific seasons.

q. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMAs. Archers must abide by bucks only regulations and other restrictions when such seasons are in progress.

r. Primitive Firearms Season for Deer. Either-sex unless otherwise specified. See WMA deer schedule. Except youths 17 or younger may use any legal weapon during the primitive firearm season.

6. Camping

a. A WMA camping permit is required for all persons camping on LDWF operated campgrounds on WMAs. Camping on WMAs, including trailers, houseboats, vessels, recreational vehicles and tents, is allowed only in designated areas and for a period not to exceed 16 consecutive days, regardless if the camp is attended or unattended. At the end of the 16-day period, camps must be removed from the area for at least 48 hours. Camping area use limited exclusively to outdoor recreational activities. Camping is available on a first-come, first-serve basis unless otherwise specified.

b. Houseboats and vessels utilized for recreational activities are prohibited from overnight mooring within WMAs except on stream banks adjacent to designated camping areas. Overnight mooring of vessels that provide lodging for hire are prohibited on WMAs. Houseboats and vessels shall not impede navigation. On Atchafalaya Delta WMA houseboats may be moored by permit only in designated areas during hunting season. Permits are available by lottery annually or by five-year lease through a bid program.

c. Discharge of human waste onto lands or waters of any WMA is strictly prohibited by state and federal law. In the event public restroom facilities are not available at a WMA, the following is required. Anyone camping on a WMA in a camper, trailer, or other unit (other than a houseboat or tent) shall have and shall utilize an operational disposal system attached to the unit. Tent campers shall have and shall utilize portable waste disposal units and shall remove all human waste from the WMA upon leaving. Houseboats moored on a WMA shall have a permit or letter of certification from the Health Unit (Department of Health) of the parish within which the WMA occurs verifying that it has an approved sewerage disposal system on board. Further, that system shall be utilized by occupants of the houseboats when on the WMA.

d. No refuse or garbage may be dumped from these boats.

e. Firearms may not be kept loaded or discharged in a camping area unless otherwise specified.

f. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations when provided or carried off by campers.

g. Trash must be contained at all times while camping.

h. Burning of trash is prohibited.

i. Glass containers prohibited on campgrounds.

j. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation, including restitution for damages.

k. Swimming is prohibited within 100 yards of boat launching ramps.

7. Restricted Areas

a. For your safety, all oil and gas production facilities (wells, pumping stations and storage facilities) are off limits.

b. No unauthorized entry or unauthorized hunting in restricted areas, refuges, or limited use areas unless otherwise specified.

8. Dogs. All use of dogs on WMAs, except for bird hunting and duck hunting, is experimental as required by law. Having or using dogs on any WMA is prohibited except for nighttime experimental raccoon hunting, squirrel hunting, rabbit hunting, bird hunting, duck hunting, hog hunting and bird dog training when allowed; see individual WMA season listings for WMAs that allow dogs. Dogs running at large are prohibited on WMAs. The owner or handler of said dogs shall be liable. Only recognizable breeds of bird dogs and retrievers are allowed for quail and migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on WMAs having experimental rabbit seasons. A leashed dog may be used to trail and retrieve wounded or unrecovered deer during legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with owner's name, address and phone number. In addition, a dog may be used to trail and retrieve unrecovered deer after legal hunting hours; however, no person accompanying a dog after legal hunting hours may carry a firearm of any sort. Only hunting dogs are allowed in WMA camping areas.

9. Vehicles

a. An all-terrain vehicle is a wheeled or tracked off-road vehicle (not legal for highway use) with specifications not to exceed the following: weight-750 pounds, length-85", and width-48". ATV tires are restricted to those no larger than 26 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. as indicated on the tire by the manufacturer. Use of all other ATVs or ATV tires are prohibited on a WMA.

b. *Utility Type Vehicle (UTV, also Utility Terrain Vehicle)*—any recreational motor vehicle other than an ATV, wheeled or tracked, not legal for highway use, designed for and capable of travel over designated unpaved roads, traveling on four or more low-pressure tires or tracks, with specifications not to exceed the following: weight-1900 pounds, length-128" and width-68". UTV tires are restricted to those no larger than 27 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. UTV's are commonly referred to as side by sides and may include golf carts.

c. Vehicles having wheels with a wheel-tire combination radius of 17 inches or more measured from the center of the hub and horizontal to ground are prohibited.

d. The testing, racing, speeding or unusual maneuvering of any type of vehicle is prohibited within WMAs due to property damages resulting in high maintenance costs, disturbance of wildlife and destruction of forest reproduction.

e. Tractor or implement tires with farm tread designs R1, R2 and R4 known commonly as spade or lug grip types are prohibited on all vehicles.

f. Airboats, aircraft, personal water craft, "mud crawling vessels" (commonly referred to as crawfish combines which use paddle wheels for locomotion) and hover craft are prohibited on all WMAs and refuges, except type A personal water craft, model year 2003 and beyond, which are eight feet in length and greater, may be operated within WMAs except Bussey Brake WMA from April 1 until the Monday of Labor Day weekend, from sunrise to sunset only, and except personal water craft allowed on designated portions of Alexander State Forest WMA year-round. Personal water craft are defined as a vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and is designed to be operated by a person sitting, standing or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel. No person shall operate such water craft at a speed greater than slow/no wake within 100 feet of an anchored or moored vessel, shoreline, dock, pier, or persons engaged in angling or any other manually powered vessel.

g. Driving or parking vehicles on food or cover plots and strips is prohibited.

h. Blocking the entrance to roads and trails is prohibited.

i. Licensed motorized vehicles (LMVs) legal for highway use, including motorcycles, are restricted entirely to designated roads as indicated on WMA maps. UTVs are restricted to marked UTV trails only, except that those UTVs in which the manufacturer's specifications do not exceed the weight, length, width, and tire restrictions for ATVs are allowed on ATV trails. ATVs are restricted to marked ATV trails only. When WMA roads are closed to LMVs, ATVs and UTVs may then use those roads when allowed. This restriction does not apply to bicycles.

NOTE: Only ATV and UTV trails marked with signs and/or paint, and depicted on WMA maps are open for use.

j. Use of special ATV trails for physically challenged persons is restricted to ATV physically challenged permittees. Physically challenged ATV permittees are restricted to physically challenged ATV trails or other ATV trails only as indicated on WMA maps or as marked by sign and/or paint. Persons 60 years of age and older, with proof of age, are also allowed to use special physically challenged trails and need not obtain a permit. However, these persons must abide by all rules in place for these trails. Physically challenged persons under the age of 60 must apply for and obtain a physically challenged hunter program permit from the LDWF.

k. Entrances to ATV trails will be marked with peach colored paint. Entrances to physically challenged-only ATV trails will be marked with blue colored paint. Entrances to ATV trails that are open year-round will be marked with purple paint. The end of all ATV trails will be marked by red

paint. WMA maps serve only as a general guide to the route of most ATV trails, therefore all signage and paint marking as previously described will be used to determine compliance.

l. Roads and trails may be closed due to poor condition, construction or wet weather.

m. ATVs, and motorcycles cannot be left overnight on WMAs except on designated camping areas. ATVs are prohibited from two hours after sunset to 4 a.m., except raccoon hunters may use ATVs during nighttime raccoon take seasons only. ATVs are prohibited from March 1 through August 31 except squirrel hunters are allowed to use ATV trails during the spring squirrel season on the WMA and except certain trails may be open during this time period to provide access for fishing or other purposes and some ATV trails will be open all year long on certain WMAs.

n. Caution. Many LDWF-maintained roadways on WMAs are unimproved and substandard. A maximum 20 mph speed limit is recommended for all land vehicles using these roads, unless specific signage otherwise allows or restricts.

o. Hunters are allowed to retrieve their own downed deer and hogs with the aid of an ATV or electric bicycle except on Thistlethwaite, Sherburne, Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes, Salvador/Timken, Lake Boeuf, Biloxi, and the Crusel Tract of Maurepas Swamp WMAs under the following conditions:

i. no firearms or archery equipment is in possession of the retrieval party or on the ATV;

ii. the retrieval party may consist of no more than one ATV and one helper;

iii. ATVs may not be used to locate or search for wounded game or for any other purpose than retrieval of deer and hogs once they have been legally harvested and located;

iv. UTV's may not be used to retrieve downed deer or hogs.

p. No wake zones. Operation of vessels beyond bare steerage speed (the slowest speed a vessel can travel while allowing the operator to maintain directional control of the vessel) in posted no wake zones is prohibited.

q. Electric bicycles are restricted to designated roads and ATV/UTV trails.

r. Factory OEM installed or OEM equivalent exhausts are required for all boat/powercraft motors. No person shall operate or allow to be operated a powercraft with an altered muffler or muffler cutout or in a manner that bypasses or reduces the effectiveness of the muffler system.

10. Commercial Activities

a. Hunting Guides/Outfitters. No person or group may act as a hunting guide, outfitter or in any other capacity for which they are paid or promised to be paid directly or indirectly by any other individual or individuals for services rendered to any other person or persons hunting on any WMA, regardless of whether such payment is for guiding, outfitting, lodging or club memberships.

b. Except for licensed activities otherwise allowed by law, commercial activities are prohibited without a permit issued by the secretary of the LDWF.

c. Commercial Fishing. Permits are required of all commercial fishermen using Grassy Lake, Pomme de Terre and Spring Bayou WMAs. Drag seines (except minnow and

bait seines) are prohibited except experimental bait seines allowed on Dewey Wills WMA north of LA 28 in Diversion Canal. Commercial fishing is prohibited during regular waterfowl seasons on Grand Bay, Silver Lake and Lower Sunk Lake on Richard K. Yancey WMA. Commercial fishing is prohibited on Salvador/Timken, Pointe-aux-Chenes, and Russell Sage WMAs except commercial fishing on Pointe-aux-Chenes is allowed in Cut Off Canal. No commercial fishing activity shall impede navigation and no unattended vessels or barges will be allowed. Non-compliance with permit regulations will result in revocation of commercial fishing privileges for the period the license is issued and one year thereafter. Commercial fishing is allowed on Pass-a-Loutre and Atchafalaya Delta WMAs. See Pass-a-Loutre for additional commercial fishing regulations on mullet.

11. WMAs Basic Season Structure. For season dates, bag limits, shooting hours, special seasons and other information consult the annual regulations pamphlet for specific details.

12. Resident Small Game (squirrel, rabbit, quail, mourning dove, woodcock, snipe, rail and gallinule). Same as outside except closed during modern firearm either-sex deer seasons on certain WMAs (see WMA schedule) and except non-toxic shot, size 6 or smaller must be used for dove, rail, snipe, and gallinule. Unless otherwise specified under a specific WMA hunting schedule, the use of dogs for rabbit and squirrel hunting is prohibited. Spring squirrel season with or without dogs: first Saturday of May for nine days. Consult regulations pamphlet for specific WMAs.

13. Waterfowl (ducks, geese and coots). Consult regulations pamphlet. Hunting after 2 p.m. prohibited on all WMAs except for Atchafalaya Delta and Pass-a-Loutre. Consult specific WMA regulations for shooting hours on these WMAs.

14. Archery. Consult regulations pamphlet.

15. Hogs. Feral hogs may be taken during any open hunting season on WMAs by properly licensed and/or permitted hunters using only guns or bow and arrow legal for specified seasons in progress, except take of hogs is prohibited during nighttime raccoon seasons. Hogs may not be taken with the aid of dogs, except feral hogs may be taken with the aid of dogs during the month of February on Attakapas, Bodcau, Clear Creek, Little River, Pearl River, Sabine, Sabine Island, and West Bay and that portion of Dewey W. Wills north of the Catahoula Lake Diversion Canal by self-clearing permit. All hogs must be killed immediately and may not be transported live under any conditions. During the February dog season hunters may use centerfire handguns in addition to using guns allowed for season in progress. Additionally, feral hogs may be taken on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs from February 16 through March 31 with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber. Additional requirements may be specified under individual WMAs, see regulation pamphlet.

16. Outlaw Quadrupeds and Birds. Consult regulations pamphlet. During hunting seasons specified on WMAs, except the turkey and spring squirrel seasons, take of outlaw quadrupeds and birds, with or without the use of electronic calls, is allowed by properly licensed hunters and only with

guns or bows and arrows legal for season in progress on WMA.

17. WMAs Hunting Schedule and Regulations

a. Acadiana Conservation Corridor. Self-clearing permit required for all activities.

i. Archery only: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either-sex.

ii. All other seasons closed. No motorized vehicles allowed and no access via I-49 right-of-way.

b. Alexander State Forest. From December through February all hunters must check daily with the Office of Forestry for scheduled burning activity. No hunting or other activity will be permitted in burn units the day of the burning. Call 318-487-5172 or 318-487-5058 for information on burning schedules. Attaching stands to Red Cockaded Woodpecker cavity trees is prohibited. Cavity trees are marked with painted, double white bands. Self-clearing permits required for hunters only. Vehicles restricted to paved and graveled roads. No parking on or fishing or swimming from bridges. No open fires except in recreational areas. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Pineville or Baton Rouge Offices for details and applications. PCHP blind hunting by reservation for Class I, III and IV PCHP permittees only.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Firearms: first Sat. of Nov. for 2 days, either-sex. Mandatory deer check; Fri. after Thanksgiving Day for 3 days, bucks only.

(c). Primitive Firearms: second Sat. of Oct. for 2 days. Mandatory deer check.

(d). Youth Lottery: last Sat. of Oct. for 2 days, Fri. after Thanksgiving for 3 days, third Sat. in Dec. for 2 days, either-sex.

(e). PCHP Blinds: first Sat. of Nov. for 2 days, mandatory deer check, second Sat. in Dec. for 2 days.

ii. Small Game: Same as outside except closed during deer primitive firearms (either-sex), deer firearms (either-sex) and deer firearms (bucks only) and open to squirrel hunting during the spring season, first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

iii. Waterfowl: Same as outside. (Certain areas may be closed as posted).

c. Atchafalaya Delta. Self-clearing permit required for all activities. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA Self-Clearing Permit from an information station located at Main Delta campground, Wax Delta Campground, Cul-de-sac on Big Island, and Berwick Public Boat Launch (Jesse Fontenot Boat Launch). Camping and houseboat mooring allowed ONLY in designated campgrounds. Houseboat mooring allowed by permit only during hunting season (see Subparagraph G. 6. Camping b. for details) and by normal means during remainder of the year. Vessels/Vehicles: Mudboats or air-cooled propulsion vessels powered by more than 36 total horsepower are prohibited on the WMA. All ATVs/UTVs, motorcycles, horses and mules prohibited except as permitted for authorized WMA trappers. Big Island: Except for youth deer hunting (provided for below),

all other hunting closed from October 1 through the last day of youth deer seasons. Main Delta area closed to all hunting except for youth deer hunting during youth deer seasons. Limited Use Area: Access prohibited Mar. 1-Jan. 31. Hunting restricted to rabbit with shotgun only from first day of Feb. through last day of Feb. non-toxic (maximum size #6) shot only, without beagles only. See WMA map for specific location.

i. Deer Archery (either-sex): Oct. 1 - Jan. 31 on Main Delta only; no deer hunting on Wax Lake Delta.

ii. Deer Youth Shotgun (buckshot only, either-sex) and Archery (either-sex): first Sat. of Oct. for 2 days; second Sat. of Oct. for 2 days on Main Delta only; no deer hunting on Wax Lake Delta.

iii. Small Game: same as outside except Rabbit Only:

(a). Wax Lake Delta: first Sat. of Oct. through last day of Feb. Beagles prohibited November through January.

(b). Main Delta: first day of Feb. through last day of Feb. with or without beagles. Closed October through January.

iv. Waterfowl: same as outside, except shooting hours shall be 1/2 hour before sunrise to 2 p.m. during opening weekends of teal and duck season and 1/2 hour before sunrise to sunset the remainder of the season, and except shooting hours are the same as outside for the Youth Hunt weekend.

v. Feral Hogs: may be taken by properly licensed hunters Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

d. Attakapas. Area closed to all except Youth Deer Hunters when the Youth deer season is open.

i. Deer

(a). Deer hunting will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

(b). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either-sex.

(c). Youth: last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-Sex: Fri. after Thanksgiving Day for 3 days and the second Sat. of Dec. for 2 days except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. for 2 days.

(e). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(f). Primitive Firearms (Bucks only): third Sat. of Jan. for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except small game hunting closed during either-sex modern firearms seasons closed during youth deer seasons and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

e. Bayou Macon. Area Closed: To all except Youth Deer Hunters last Sat. of Oct. for 2 days. All night activities prohibited except as otherwise provided.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms: Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Primitive Firearms: third Sat. of Dec. for 9 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearms season and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to firearms either-sex deer, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon: (Nighttime): Sept. 1 for 16 days and first Sat. of Jan. to the last day of Feb.

f. Bayou Pierre. Waterfowl Refuge is closed to all hunting, trapping and fishing except for archery hunting for deer, which is allowed on the entire area. Refuge is marked with "Waterfowl Refuge" signs.

i. Deer

(a). Archery only: Oct. 1-Jan. 31, either-sex. Archery hunting is allowed in the waterfowl refuge.

ii. Waterfowl: Desoto Tract same as outside. Remainder of the WMA closed to waterfowl hunting.

iii. Other Small Game: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb.

iv. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

g. Big Colewa Bayou. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Monroe or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Fri. after Thanksgiving for 3 days, either-sex and second Sat. of Dec. for 16 days, bucks only.

i. Deer

(a). Archery only: Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbit hunting Jan. 1 to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

- iii. All nighttime activities prohibited.
- h. Big Lake. Area closed to all south of Big Lake and Crystal Roads when youth deer season is open. North of Big Lake and Crystal Roads open to all activities.
 - i. Deer
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Youth: last Sat. of Oct. for 2 days, either-sex. Youth hunt on designated portion. See WMA map for specific location.
 - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.
 - (d). Firearms Bucks Only: second Sat. of Dec. for 14 days.
 - (e). Primitive Firearms: day after firearms bucks only season closes for 14 days.
 - ii. Turkey: opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens on Good Friday.
 - (a). Youth: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend then season will open on Good Friday for 3 days.
 - iii. Small Game: same as outside except closed during either-sex firearms seasons and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.
 - iv. Waterfowl: same as outside except closed during either-sex modern firearms seasons.
 - v. Raccoon (Nighttime): the day after primitive firearms season ends to the last day of Feb.
 - vi. Sport Fishing: yoyos, limblines and trotlines prohibited on Big and Chain Lakes.
 - vii. Commercial fishing: commercial fishing is prohibited.
 - i. Biloxi. Self-clearing permits required for all activities. Vessels/Vehicles: All airboats, mud boats, vessels powered by air-cooled engines, ATVs/UTVs, motorcycles, horses, and mules are prohibited. All types of mud boats, "long-tail", air cooled propulsion vessels, etc., including "surface-drive" boats, are prohibited. Overnight mooring of vessels 50 feet in length or less is only allowed at the designated camping area (see WMA map for location), vessels greater than 50 feet in length are prohibited from mooring overnight. Dogs are prohibited except retrievers allowed for waterfowl hunting. No structures may be erected including fixed or permanent blinds of any type. All nighttime activities are prohibited EXCEPT hunters may enter the WMA no earlier than 4 a.m. during hunting season. Fish may only be taken by rod and reel, and/or hook and line. Bowfishing is prohibited.
 - i. Deer
 - (a). Archery (bucks only): Oct. 1-15.
 - (b). Deer Archery (either-sex): Oct. 16-Jan. 31.
 - ii. Small Game and Waterfowl: same as outside except waterfowl closed after 2 p.m. and except closed to squirrel hunting during the spring season.
 - j. Bodcau. Area closed to all except Youth deer hunters during the Youth Deer Hunt on designated portion. Limited Use Area: Small game and waterfowl same as rest

of WMA. Deer hunting archery only. See WMA map for specific location.

- i. Deer
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Youth: Sat. after second Fri. of Oct. for 2 days, either-sex on designated portion.
 - (c). Firearms either-sex: last Sat. of Oct. to the Sun. after Thanksgiving Day. Last Sat. of Oct. and Sun. after last Sat. of Oct., mandatory deer check.
 - (d). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.
- ii. Turkey
 - (a). Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.
 - (b). Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days. Fourth Sat. of April for 2 days.
- iii. Small Game and Waterfowl: same as outside except closed during the youth deer hunt on designated portion and entire area first 2 days of modern firearms deer season except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms deer season ends to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles allowed for rabbit and dogs allowed for squirrel from the first Sat. of Oct. through the Fri. immediately prior to the opening day of firearms deer season, and training of beagles for rabbit and dogs for squirrel allowed June 1-Sept. 30.
 - (a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.
 - iv. Raccoon (Nighttime): day after primitive firearms deer season ends to the last day of Feb. and May 1-Sept. 30.
 - v. Bird Dog Training Area: open all year except closed during WMA Turkey Season. Contact Minden Office for information.
 - vi. Fishing: nets and traps prohibited on Ivan Lake.
 - k. Boeuf. Area Closed to all south of LA 4 except Youth Deer Hunters when youth deer season is open. North of LA 4 open to all activities. Internal combustion engines and craft limited to 10 hp rating or less in the Greentree Reservoir.
 - i. Deer
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Youth: second Sat. of Oct. for 2 days, either-sex.
 - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, self-clearing permit.
 - (d). Firearms Bucks Only: first Sat. of Dec. for 14 days.
 - (e). Primitive Firearms: day after the close of Firearms Bucks Only for 14 days. Second Sat. of Nov. for 7 days, Sat. and Sun. - mandatory deer check.
 - ii. Turkey: closed.
 - iii. Small Game and Waterfowl: same as outside except closed during Deer Either-sex modern firearms season, and except spring squirrel season will be open the

first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

1. Buckhorn. Area Closed: last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, self-clearing permit; and second Sat. of Dec. for 2 days, mandatory deer check.

(d). Firearms Bucks Only: third Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after firearms bucks only season ends for 14 days.

(f). Youth and Physically Challenged Wheelchair Confined Deer Hunting Area: check map for location. Access restricted. Call Monroe or Baton Rouge Offices for further details.

(g). Youth Lottery: second weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the third weekend of Dec. and first consecutive Sat. and Sun. in Jan. Either-sex. Hunting by pre-application lottery only.

(h). Physically Challenged Wheelchair Confined: second weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the third weekend of Dec. and first consecutive Sat. and Sun. in Jan. Either-sex. Hunting by reservation for wheelchair confined. PCHP permittees only.

ii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearm season and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iii. Raccoon (Nighttime): day after primitive firearms season ends to the last day of Feb.

m. Bussey Brake. Area closed to all hunting and trapping activity. Area closed to all activities between two hours after sunset until 4 a.m. with the exception of rod and reel or cane pole fishing. Fishing may take place between these hours at the north fishing pier or by boat. Access to all other areas are prohibited between these hours. Recreational fishing and all other allowed non-consumptive uses only. No personal watercraft or water skiing. No camping. No ATVs/UTVs or electric bicycles allowed. No motorized vehicles of any type allowed on reservoir levee except at boat launch for purpose of launching boat or to access fishing pier. Pulling boats over levees or any other activities

that cause detriment to the levees is prohibited. Horseback riding and non-motorized bicycles are allowed only on the designated trail named Levee Trail (see map at boat launch kiosk). Access is granted at two marked locations, adjacent to the boat launch and just beyond the boat launch parking area. No tying boats to channel marker poles. A No-Wake Zone is in effect in the harbor inside the wave break. No boats allowed within 30 feet of fishing piers.

i. Fishing: fish may be taken only by rod and reel or cane pole for recreational purposes. Tournament fishing allowed by Special Use Permit only. All types of nets, including but not limited to gill nets, trammel nets, hoop nets, wire nets, fyke nets and fish seines are prohibited. Trotlines, yo-yos, limb lines, stump lines, slat traps, jugs, cans, and pipes are prohibited. Shoreline (non-boat) fishing only allowed at designated locations. No fishing or lake access from rocks along interior of reservoir levee.

(a). Black Bass (*Micropterus spp.*)

(i). Daily limit: recreational daily creel limit shall be five fish, in the aggregate;

(ii). Possession limit: possession limit shall be five fish while on water and ten fish while off water, in the aggregate;

(iii). Length: the maximum total length limit shall be 16 inches, with the exception that one fish over 16 inches may be kept.

(b). Crappie (*Pomoxis spp.*)

(i). Daily limit: recreational daily limit shall be 25 fish in the aggregate;

(ii). Possession limit: possession limit shall be 25 fish while on water and 50 fish while off water, in the aggregate;

(iii). Length: the minimum total length shall be 10 inches.

(c). Bream (*Lepomis spp.*)

(i). Daily limit: recreational daily creel limit shall be 50 fish, in the aggregate;

(ii). Possession limit: possession limit shall be 50 fish while on the water and 100 while off the water in the aggregate;

(iii). Length: no minimum length.

n. Clear Creek. Area Closed to all except Youth Deer Hunters when the Youth Deer Season is open. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles or Baton Rouge Offices for details and applications. Hunting blind reservations for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex.

(b). Youth Deer Hunt: next to last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: last Sat. of Oct. for 2 days, mandatory deer check and Fri. after Thanksgiving for 3 days, self-clearing permit.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and second Sat. of Dec. to Jan. 1.

(e). Primitive Firearms: Mon. after first either-sex firearms weekend for 7 days.

- ii. Turkey
 - (a). Mon. after second Sat. of April for 21 days.
 - (b). General Lottery: opening day of statewide season for 2 days, second Sat. of April for 2 days.
 - (c). Youth Lottery: Sat. before opening day of statewide season for 2 days.
- iii. Small Game and Waterfowl: same as outside except closed during either-sex gun hunts and except spring squirrel season will be open first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after firearms bucks only season closes to the last day of Feb.
 - (a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.
- iv. Raccoon (Nighttime): day after firearms bucks only season closes to the last day of Feb.
 - o. Dewey Wills. Area Closed: to all except Youth and Physically Challenged Deer Hunters during the Physically Challenged and Youth Deer Hunt only on that portion of the area north of the Diversion Canal. High Water Benchmark Road Closures: Hunt Road (South of the Catahoula Lake Diversion Canal) and Muddy Bayou Road east of Nolan Bayou Road will be closed when water levels at the Larto Lake gauge reaches 45.0 ft. msl, and will reopen when water levels recede to 43.0 ft. msl, and Muddy Bayou Road west of the intersection of Nolan Bayou Road and Sandy Bayou Road will be closed when water levels at the Larto Lake gauge reaches 42.0 ft. msl and will reopen when water levels recede to 40.0 ft. msl.
 - i. Deer
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Physically Challenged and Youth: last Sat. of Oct. for 2 days, either-sex. Only that portion of the area north of the Diversion Canal shall be open only to Physically Challenged and youth deer hunters. The remainder of the area is open to all.
 - (c). Youth Lottery: first Sat. of Dec. for 2 days, first Sat. of Jan. for 2 days except when Jan. 1 falls on one of those days, then there will be no hunt that weekend, second Sat. of Jan. for 2 days, and third Sat. of Jan. for 2 days, either-sex. Contact Pineville Office (318-487-5885) for details and applications.
 - (d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit. No hunting allowed in the greentree impoundment or within 100 feet of the greentree levee if duck season is in progress.
 - (e). Firearms Bucks Only: fourth Sat. of Dec. for 16 days.
 - (f). Primitive Firearms (Bucks Only): second Sat. of Dec. for 2 days.
 - ii. Turkey: closed.
 - iii. Small Game and Waterfowl: same as outside except closed during Physically Challenged and Youth Deer Season north of the Diversion Canal and the entire area during the either-sex firearm hunt except waterfowl hunting will be allowed in the greentree impoundment and Catahoula Basin during the firearm either-sex season and open to squirrel hunting during the spring season first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after Firearms

- Bucks-Only season ends to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct. to the third Sun. of Nov., and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31. Catahoula Basin: Nov. 1-Jan. 31, all motorized vessels prohibited 2 p.m. to 4 a.m., and all nighttime activities prohibited during open waterfowl season except for the Catahoula Basin buffer zone, which will remain open to motorized vessels year-round for recreation and navigation.
- iv. Raccoon
 - (a). Nighttime: day after primitive firearms season ends to the last day of Feb.
 - (b). Nighttime Chase only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take season only.
 - v. Crawfish: limited to 100 pounds per person per day.
 - vi. Larto Tracts: all season dates on Larto Tracts (see WMA map) same as outside, except deer hunting restricted to archery only. All vehicles, including ATVs, are prohibited.
 - p. Elbow Slough
 - i. Mourning Dove: Saturdays, Sundays and Wednesdays only during first and second split of the outside season, and except by lottery only opening Sat. and second Sat. of first 8 days of first split. Applications available at Pineville office and online. Contact Pineville office for details.
 - ii. Rabbit: Feb. 1 to the last day of Feb. Beagles allowed.
 - iii. Crawfish: March-July. Limit: 100 lbs. per person per day. Recreational crawfishing only. No traps or nets left overnight.
 - iv. Woodcock: same as outside.
 - v. All other seasons closed. Non-toxic (minimum size #6) shot only for all hunting. All motorized vehicles prohibited.
 - q. Elm Hall. ATVs/UTVs prohibited.
 - i. Deer
 - (a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either-sex.
 - (b). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days.
 - (c). Firearms Bucks Only: Sun. after Thanksgiving Day and the fourth Sat. of Dec. for 9 days.
 - (d). Primitive Firearms: next to last Sat. in Jan. for 2 days.
 - ii. Small Game and Waterfowl: same as outside except closed during either-sex firearm seasons for deer, beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the close of primitive firearms to the end of Feb. and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs.
 - r. Esler Field. All or portions of the area may be closed daily due to military activities. All game harvested must be reported on self-clearing checkout permit. No hunting in Restricted Areas. Swimming in Twin Lakes prohibited. Retriever training allowed on selected portions of the WMA. Area closed: to all except youth deer hunters second full weekend in November.

i. Deer
(a). Archery: Oct. 1-Jan. 31, either-sex.
(b). Youth Deer Hunt: second full weekend in Nov., either-sex on designated portion of the WMA.
(c). Firearms Bucks Only: Dec. 26-Jan. 1.
(d). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit. All deer harvested must be brought to Rifle Range Road Weigh Station. Second Sat. of Dec. for 2 days, self-clearing permit.

ii. Turkey: opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens Good Friday.

iii. Small Game and Waterfowl: same as outside, except closed during either-sex gun hunts for deer and except closed to squirrel hunting during the spring season. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to the last day of Feb.

iv. Raccoon (Nighttime): last consecutive Sat. and Sun. in Jan. to last day of Feb.

v. Fishing: special regulations to be posted at Twin Lakes.

s. Floy Ward McElroy. Access restricted. Contact Monroe Wildlife Field Office at 318-343-4045 for information.

i. Deer: limit 1 deer per participant per weekend for all hunts.

(a). Youth Lottery: second weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the third weekend of Dec., and second consecutive Sat. and Sun. in Jan., either-sex. Restricted to those selected as a result of the pre-application lottery.

(b). Beyond Becoming an Outdoors Woman (BOW) Lottery Deer Hunt: second consecutive Sat. and Sun. in Jan. Hunt restricted to those that have successfully completed the Becoming an Outdoors Woman Deer Management Course. Must be Hunter Education certified. Contact LDWF Education Section, 318-343-1241, for more information.

t. Fort Johnson North. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Check LDWF Hunting Pamphlet for information on open areas and special ATV regulations. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures. Magnet fishing is prohibited.

i. Deer

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex except restricted to bucks only when bucks only gun season is in progress.

(b). Primitive Firearms: second Sat. of Oct. for 7 days, self-clearing permit required.

(c). Firearms Either-Sex: last Sat. of Oct. for 2 days, self-clearing permit, and Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, second Sat. of Dec. to Jan. 1.

ii. Turkey: same as outside.

(a). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. "Hunter orange" or "blaze pink" must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for hogs.

u. Fort Johnson-Vernon. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Check LDWF Hunting Pamphlet for information on open areas and special ATV regulations. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles Office for details and applications. Hunting blind reservations for wheelchair confined PCHP permittees only. Same deer seasons listed below. Magnet fishing is prohibited.

i. Deer

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex. Special Archery regulations for Archery Only Area, check locally at Building 2396 on 22nd St., either-sex deer legal the entire season. Remainder of WMA restricted to bucks only when bucks only gun season is in progress.

(b). Primitive Firearms: second Sat. of Oct. for 7 days, self-clearing permit required.

(c). Firearms Either-sex: last Sat. of Oct. for 2 days self-clearing permit, and Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, second Sat. of Dec. to Jan. 1.

ii. Turkey: same as outside.

(a). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. "Hunter orange" or "blaze pink" must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to the last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for hogs.

v. Fishing: special regulations pertaining to fishing are posted at specific lakes.

v. Grassy Lake. Area Closed: To all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: last Sat. of Oct. for 2 days.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing Permit.

(d). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(e). Primitive Firearms (either-sex): second Sat. of Dec. for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends for 12 days and Monday after firearms buck only season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Sport Fishing: same as outside except allowed after 2 p.m. during waterfowl season, and except allowed after 10 a.m. during early Teal Season on Smith Bay, Red River Bay and Grassy Lake proper.

v. Commercial Fishing: permitted except on Smith Bay, Red River Bay and Grassy Lake proper on Saturday and Sunday and during waterfowl season. Permits available from area supervisor Spring Bayou Headquarters or Lafayette Field Office.

vi. Raccoon (Nighttime): second Sat. of Sept. for 16 days, day after primitive firearms season ends for 12 days, and day after bucks only firearm season ends to the last day of Feb.

vii. Crawfish: March 15-July 31. Recreational only. 100 pounds per person daily. No nets or traps may be left overnight.

w. Hutchinson Creek

i. Deer:

same as outside, Archery Only, Either-sex.

ii. Turkey: same as outside.

iii. Small Game and Waterfowl: same as outside. Open to squirrel hunting during the spring season first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting first Sat. of Jan to the last day of Feb.

iv. Raccoon: second Sat. of Sept. for 16 days and first Sat. of Jan to the last day of Feb.

x. J. C. Sonny Gilbert. Area Closed: last Sat. of Oct. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, self-clearing permit.

(d). Firearms Bucks Only: first Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after close of Firearms Bucks Only for 14 days.

ii. Turkey

(a). General Lottery: opening day of statewide season for 9 days, with 3 consecutive 3 day hunts.

(b). Youth Lottery: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearms seasons for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

iv. Raccoon (Nighttime): the day after the last deer firearms season (bucks only or primitive) to last day of Feb.

v. Sport Fishing: restricted to rod and reel, and pole fishing only. All other gear prohibited.

y. John Franks

i. Deer

(a). Archery Only: Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: same as outside. Beagles allowed for rabbits and dogs allowed for squirrel Sat. before Christmas to end of Feb. Open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs.

z. Joyce. Swamp Walk: closed from 30 minutes after sunset to 30 minutes before sunrise. No loaded firearms or hunting allowed within 100 yards of walkways. Check hunting schedule and use walkway at your own risk.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: first Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, self-clearing permit.

(d). Firearms bucks only: third Sat. of Dec. for 16 days.

(e). Primitive Firearms (either-sex): second Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan. for 7 days.

ii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): day after primitive firearms ends to last day of Feb.

iv. Crawfish: limited to 100 pounds per person per day.

aa. Lake Boeuf. Self-clearing permit required for all activities. Self-clearing permit available at Theriot Canal boat landing off LA 308. All nighttime activities prohibited except that hunters may enter the WMA no earlier than 4 a.m. and must check out and exit the WMA no later than two hours after sunset, or as otherwise specified. ATVs/UTVs, motorcycles, horses and mules are prohibited.

- i. Deer
 - (a). Archery (bucks only): Oct. 1-15
 - (b). Archery (either-sex): Oct. 16 - Jan. 31
- ii. Waterfowl: same as outside.
- iii. Small Game: first day of Nov. to the last day of Feb. and open to squirrel hunting during the spring season from the first Sat. of May for 9 days, with or without dogs. Beagles prohibited November and December.
- bb. Lake Ramsey. All vehicles restricted to Parish Roads and designated parking areas.
 - i. Deer
 - (a). Archery only, Oct. 1-Jan. 31, either-sex.
 - ii. Turkey: opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.
 - iii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to last day of Feb.
 - iv. Foot traffic only—all vehicles restricted to Parish Roads, except ATVs allowed for hunters retrieving downed deer or feral hogs.
 - v. Bird Dog Training Area: open all year except closed during WMA Turkey Season. Contact Hammond Office (985-543-4777) for information.
- cc. Little River
 - i. Deer
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Firearms Bucks Only: last Sat. of Oct. for 16 days.
 - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, and second Sat. of Dec. for 2 days.
 - ii. Turkey: opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.
 - iii. Raccoon
 - (a). Nighttime: Mon. after second Sat. of Jan. to last day of Feb.
 - (b). Nighttime Chase Only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take seasons only.
 - iv. Small Game and Waterfowl: same as outside except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.
 - (a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.
 - v. Crawfish: March-July. Limit: 100 pounds per person per day. Recreational crawfishing only. No traps or nets left overnight.
 - dd. Loggy Bayou. Limited Use Area: small game and waterfowl same as rest of WMA. Deer hunting archery only. See WMA map for specific location.
 - i. Deer
 - (a). Archery: Oct. 1-Jan. 31, either-sex.
 - (b). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.
 - (c). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.

- ii. Small Game and Waterfowl: same as outside except closed during either-sex firearms seasons for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.
- iii. Raccoon (Nighttime): Sat. before Christmas to the last day of Feb.
- ee. Manchac
 - i. Deer
 - (a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either-sex.
 - ii. Small Game and Waterfowl: same as outside except steel shot required for rails, snipe and gallinules and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Feb. 1 to the last day of Feb.
 - iii. Raccoon (Nighttime): Feb. 1 to the last day of Feb.
 - iv. Crabs: no crab traps allowed. Attended lift nets are allowed.
 - ff. Marsh Bayou
 - i. Deer: same as outside, Archery Only, either-sex.
 - ii. Small Game: same as outside. Open to squirrel hunting during the spring season first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting first Sat. of Jan. to the last day of Feb. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.
 - iii. Raccoon: second Sat. of Sept. for 16 days and first Sat. of Jan. to the last day of Feb.
 - gg. Maurepas Swamp. Camping limited to tent camping in designated areas. See WMA map for locations. No loaded firearms or hunting allowed within 100 yards of Nature Trail. Benchmark Closure: Area Closed to all deer hunting when USGS water level gauge CRMS 5373, available at <http://waterdata.usgs.gov/la/nwis/rt> is at or above 3.0 ft. gage height and reopens to deer hunting when water levels recede to 2.5 ft. gage height following a closure. Motorized vehicles prohibited on Crusel Tract (see WMA map for Crusel Tract). Limited Use Area: small game same as outside except shotgun only. Deer hunting archery only. See WMA map for specific location. Area Closed to all hunters except Youth Deer Hunters during Youth Deer Season.
 - i. Deer
 - (a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either-sex.
 - (b). Youth: first Sat. of Nov. for 2 days, either-sex.
 - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, and Sun. self-clearing permit
 - (d). Firearms Bucks Only: third Sat. of Dec. for 16 days.
 - (e). Primitive Firearms (either-sex): second Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan. for 7 days.

ii. Small Game and Waterfowl: same as outside except closed Friday after Thanksgiving Day for 3 days during either-sex firearms hunts and closed during youth deer season and except spring squirrel season will be open the first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): day after primitive firearms ends to last day of Feb.

iv. Crawfish: limited to 100 pounds per person per day.

hh. Pass-A-Loutre. Self-clearing permit required for all activities. Permits available at Pass-a-Loutre Headquarters, Camp Canal and all designated camping areas. Oyster harvesting is prohibited. Camping allowed ONLY in designated areas. See self-clearing permit station at headquarters and WMA map for designated camping areas. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules are prohibited. Mud boats or air-cooled propulsion vessels powered by more than 36 total horsepower prohibited. Operation of mud boats and air-cooled propulsion engines prohibited after 2 p.m. Sept. 1-Jan. 31, except allowed after 2 p.m. in South Pass, Pass-a-Loutre, Southeast Pass, Loomis Pass, Dennis Pass, and Cadro Pass.

i. Deer

(a). Archery (bucks only): Oct. 1- Feb.15.

(b). Youth Shotgun bucks only: second to last Sat. in Oct. for 2 days.

(c). Deer Shotgun: bucks only may be taken with shotguns with either slugs or buckshot for seven days starting the day after the closure of the first split of duck season.

ii. Small Game and Waterfowl: same as outside. Beagles prohibited October through last day of waterfowl season.

iii. Feral Hogs: may be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16-March 31. Hogs may be taken with the aid of dogs Feb. 16-March 15. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

iv. Commercial Fishing: same as outside. Commercial mullet fishing open only in: South Pass, Pass-a-Loutre, North Pass, Southeast Pass, Northeast Pass, Dennis Pass, Johnson Pass, Loomis Pass, Cadro Pass, Wright Pass, Viveats Pass, Cognevich Pass, Blind Bay, Redfish Bay, Garden Island Bay, Northshore Bay, East Bay (west of barrier islands) and oil and gas canals as described on the LDWF Pass-a-Loutre WMA map.

ii. Pearl River. Shooting range: Self-clearing permit not required but all range users must obtain a daily check in validation slip at the range upon sign-in at the range. For dates, time or more information call 985-643-3938 or www.honeyisland.org. No loaded firearms or hunting within 100 yards of Boardwalk. Old Hwy. 11 will be closed when river gauge at Pearl River, Louisiana, reaches 16.5 feet. All

hunting except waterfowl hunting south of Hwy. 90 will be closed when the river stage at Pearl River reaches 16.5 feet. No hunting in the vicinity of the Nature Trail. Observe "No Hunting" signs. Area Closed to all hunters except Youth Hunters during Youth deer hunt.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Deer Hunt: first Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-Sex: Fri. after Thanksgiving Day for 3 days.

(d). Firearms Bucks Only: first Sat. of Dec. for 16 days.

(e). Primitive Firearms: two Sats. prior to Thanksgiving for 7 days and day after firearms bucks only season closes for 14 days.

ii. Turkey

(a). General Lottery: opening day of statewide season for 2 days.

(b). Youth: Sat. and Sun. before opening day of statewide season.

iii. Small Game: same as outside except closed the Friday after Thanksgiving Day for 3 days during either-sex firearms hunts for deer, and closed during youth deer hunt, and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Waterfowl: same as outside except no hunting in Waterfowl Refuge Area and except closed Fri. after Thanksgiving for 3 days, and during youth deer hunt north of U.S. Hwy. 90.

v. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vi. Crawfish: commercial crawfishing prohibited. Limited to 100 pounds per person per day.

jj. Pointe-Aux-Chenes. All nighttime activities prohibited except that hunters may enter the WMA no earlier than 4 a.m. and must check out and exit the WMA no later than two hours after sunset, or as otherwise specified. Possession of more than one daily limit of fish/crab/shrimp while on the WMA is prohibited. Self-clearing permits available at Island Road Boat Launch, Grand Bayou Boat Launch and at Point Farm gate behind Montegut Middle School. Parking of vehicles on levees prohibited. Vessels/Vehicles: All boats powered by internal combustion engines having total horsepower above 25 Hp are not allowed in the Grand Bayou, Montegut and Pointe-aux-Chenes water management units. Public is permitted to travel anytime through the WMA for access purposes only, in the waterways known as Grand Bayou, Humble Canal, Little Bayou Blue, Grand Bayou Blue, St. Louis Canal, and Bayou Pointe-aux-Chenes unless authorized by LDWF. All ATVs/UTVs, motorcycles, horses and mules are prohibited. Fishing, crabbing, cast netting or any other activities or trespassing on water control structures are prohibited.

i. Feral Hogs: may be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment,

shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16-March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs. All Point-aux-Chenes Property except Point Farm Unit and Restricted Areas

ii. Deer

- (a). Archery (bucks only): Oct. 1-15.
- (b). Archery (either-sex): Oct. 16-Feb. 15.
- (c). Firearms (bucks only): Fri. after

Thanksgiving Day for 3 days and second Sat. of Dec. for 7 days.

iii. Waterfowl: same as outside.

iv. Small Game: same as outside except closed during bucks only firearms season and open to squirrel hunting during the spring season from the first Sat. of May for 9 days, with or without dogs. Beagles prohibited October through December.

v. Recreational Fishing: the harvest of all fish, shrimp, crabs and crawfish is for recreational purposes only and any commercial use is prohibited. All cast net contents shall be contained and bycatch returned to the water immediately.

vi. Shrimp may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat or vehicle per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat or vehicle per day (heads on) may be taken for bait.

vii. Oyster Harvesting Prohibited.

viii. Fish may be taken only by rod and reel or hand lines for recreational purposes only.

ix. Crabs may be taken only through the use of hand lines or nets; however, none are to remain set overnight. No drop net is allowed to be left unattended at any time. A maximum of 12 drop nets may be possessed/attended per boat or vehicle. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

x. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Gear used to catch crawfish shall not remain set overnight.

xi. Point Farm Unit (Pointe-aux-Chenes). An approximately 1300-acre area inside the Pointe-aux-Chenes WMA which is generally bounded on the west by the double gates behind the Montegut Middle School, the Point Farm levee and the WMA boundary, and on the north by the WMA boundary, and is bounded on the east and south by the Point Farm ridge levee. The boundary of Point Farm is more accurately marked with signs. Point Farm gate will be open all Saturdays during the month of February, weather permitting. Parking in designated areas required for mourning dove hunting. No motorized vessels allowed in the drainage ditches. Except for mourning dove hunting, (provided for below) all other hunting closed until after the last day of youth deer hunts. Area closed to all except Youth Deer Hunters when the Youth Deer Season is open. Limited Use Area: archery only, firearms prohibited. See WMA map for specific location.

(a). Deer

(i). Youth Lottery (either-sex): first Sat. of Oct. for 2 days, second Sat. of Oct. for 2 days, daily youth

hunt permit required. Call the Lafayette Field Office, Coastal WMAs, 337-735-8667 for details.

(ii). Archery (either-sex): Oct. 16-Jan. 14.

(b). Waterfowl: closed.

(c). Small Game: same as outside, except closed until the day after the last youth deer hunt day and open to squirrel hunting during the spring season from the first Sat. of May for 9 days, with or without dogs. Beagles prohibited October and November. Non-toxic shot only south of the dove field gate.

(d). Mourning Dove: hunting will be permitted each day during the September split and each day of the second and third splits (AFTER the last youth deer hunt day). Gates will be opened on Saturdays during the first and second segments, weather permitting, except during waterfowl season and Youth Deer Hunt weekends. Parking will be allowed in designated areas only. Non-toxic shot only south of the dove field gate.

kk. Pomme de Terre. Area Closed: to all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(e). Primitive Firearms: second Sat. of Dec. for 2 days.

ii. Turkey: fourth Sat. of April for 9 days.

(a). Youth: third Sat. of April for 2 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunt for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends for 12 days and Monday after firearms bucks only season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-day before last Sat. of Oct., Mon. after Thanksgiving for 12 days, and Mon. after primitive firearms season for 12 days and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after firearms bucks only season ends to last day of Feb.

v. Commercial Fishing: permitted Monday through Friday except closed during duck season. Commercial Fishing Permits available from area supervisor, Lafayette Wildlife Field Office or Spring Bayou Headquarters.

vi. Sport Fishing: same as outside except allowed after 2 p.m. during waterfowl season, and except allowed after 10 a.m. during early Teal Season.

vii. Crawfish: March 15-July 31. Recreational only. 100 lbs. per person daily. No nets or traps may be left overnight.

II. Richard K. Yancey. Area closed on that portion of the area south of Black Hawk Acme Levee Road, west of LA Hwy. 15, southward to Old River Control Structure, thence south to Sugar Mill Chute, last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer Hunters. The remainder of the WMA is open to all users.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Lottery: third and fourth Sat. of Dec. except if the fourth Sat. is Christmas Day, then the hunt will be the second and third Sat. of Dec. and the first and second Sat. in Jan. except when the first Sat. of Jan. is New Year's Day then the hunt will be the second and third Sat. of Jan., either-sex.

(c). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(e). Firearms Bucks Only: last Sat. of Dec. for 9 days.

(f). Primitive Firearms (Either-Sex): second Saturday in December for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during the either-sex firearms season and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends for 12 days and Monday after firearms bucks only season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-Oct. 31, and Mon. after Thanksgiving for 12 days, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Quail: closed.

v. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after firearms bucks only season ends to last day of Feb.

vi. Crawfish: recreational crawfishing allowed west of the Mississippi River Levee only Mar. 15 to July 31, recreational crawfishing only. Crawfish harvested limited to 100 pounds per person per day. No traps left overnight. No motorized watercraft allowed.

vii. Sport Fishing and Commercial Fishing: same as outside except closed from 30 minutes before sunrise until 2 p.m. on: Grand Bay, Silver Lake, Lower Sunk Lake, Lac A' Sostien, and Moreau Lake during open waterfowl seasons, except during early Teal Season, recreational fishing allowed after 10 a.m.

mm. Russell Sage. Area Closed: last Sat. of Oct. for 2 days South of I-20 only to all except Youth and Physically Challenged Deer Hunters. North of I-20 open to all other allowable activities. Wham Brake: closed to all motorized vessels 14 days prior to opening day of duck and teal seasons, excluding youth and Veteran days. Also closed to all motorized vessels during waterfowl season splits, and September 1-Jan. 31, all motorized vessels prohibited 2 p.m. to 4 a.m., and all nighttime activities prohibited during open waterfowl season. Waterfowl Refuge: North of LA Highway 15 closed to all hunting, fishing, trapping and ATV use

during duck season including early teal season, except hunting allowed during Falconry Waterfowl Season. Transporting trash or garbage on WMA roads is prohibited. All nighttime activities prohibited except as otherwise provided. Chauvin Tract: All season dates on Chauvin Tract (US 165 North) same as outside, except still hunt only, except deer hunting restricted to archery only, and except small game shotgun only. All vehicles including ATVs prohibited. Wham Brake Area: Waterfowl hunting open during either-sex deer season.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex, south of I-20 only.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: second Sat. of Dec. for 14 days.

(e). Primitive Firearms: second Sat. of Nov. for 7 days.

ii. Small Game and Waterfowl: same as outside except closed during either-sex firearms deer seasons, except Wham Brake area, South Bosco Tract and Pintail Alley area will remain open during either-sex firearms deer seasons, and except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31. Snipe hunting after 2 p.m. prohibited during duck season.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): first Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to last day of Feb.

iv. Crawfish: 100 pounds per person per day limit.

nn. Sabine. Area Closed: to all activities third Sat. of Oct. for 2 days to all but Youth Deer Hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: third Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-Sex: fourth Sat. of Oct. for 2 days, Fri. after Thanksgiving Day for 3 days, self-clearing permit.

(d). Firearms Bucks Only: day after primitive firearm season to day before Thanksgiving Day. First Sat. of December for 9 days.

(e). Primitive Firearms: Mon. after the fourth Sat. in Oct. for 7 days.

ii. Turkey

(a). General Lottery: second Fri. of April for 3 days, fourth Fri. of April for 3 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for

rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb.

iv. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

oo. Sabine Island. Sabine Island boundaries are Sabine River on the west, Cut-Off Bayou on the north, and Old River and Big Bayou on the south and east. Self-clearing permits required for hunters only. Area Closed: fourth Sat. of Sept. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Same as Area 8 Deer Season except still hunt only.

(b). Archery: third Sat. of Sept. to Jan. 15, either-sex.

(c). Youth: fourth Sat. of Sept. for 2 days, either-sex.

ii. Small Game and Waterfowl: same as outside except closed fourth Sat. of Sept. for 2 days and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Squirrel hunting with dogs allowed day after Area 8 deer season ends to last day of Feb.

iii. Raccoon (Nighttime): day after Area 8 deer season ends to last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from third Sat. of Sept. to last day of Feb. Hogs may be taken with the aid of dogs Feb. 1 to last day of Feb.

pp. Salvador/Timken. Self-clearing permit required for all activities. Permits available at Pier 90, Bayou Gauche, Bayou Segnette State Park landings, and at Airboat Adventures in Lafitte. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules prohibited. Use of mud boats powered by internal combustion engines with more than four cylinders is prohibited. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited. AREA Closed: During the month of October to all activities except fishing, Youth Deer Hunters and Youth Waterfowl Hunters, if the latter is provided for.

i. Deer

(a). Archery (either-sex): Nov. 1-Jan. 31.

(b). Youth (either-sex): Last 4 Sats. of Oct. for 2 days each except when the last Sat. is the 31st in which case the season will be the first four Sats. of Oct. for 2 days each, either-sex.

(c). Firearms (either-sex): Fri. before Thanksgiving for 3 days.

(d). Firearms (bucks only): Mon. before Thanksgiving Day for 28 days.

(e). Deer Primitive Firearms (either-sex): day after Firearms Bucks Only for 7 days.

ii. Waterfowl: same as outside.

iii. Small Game: same as outside except closed October through December. Beagles allowed for rabbits Jan. through last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16-March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze

pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

v. Recreational Fishing: the harvest of all fish, shrimp, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.

vi. Shrimp: may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat per day (heads on) maximum may be taken for bait. All cast net contents shall be contained and bycatch returned to the water immediately.

vii. Fish: may be taken only by rod and reel or hand lines for recreational purposes.

viii. Crabs: may be taken only through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

ix. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Fishing gear used to catch crawfish shall not remain set overnight.

x. Experimental Nighttime Activity Season

(a). 12 a.m., June 1 through official sunrise Aug. 15. Nighttime activities LIMITED to the take of frogs and fishing with a rod and reel. All other nighttime activities prohibited. Daily limit of 50 frogs per vessel in aggregate (bull frogs/pig frogs). If engaged in frogging on or while traversing the WMA, all frogs in possession will be deemed to have been taken from the WMA. At no time may anyone possess more than one daily limit of frogs while on the water.

(b). Size Limit: (Measured from the tip of the muzzle to the posterior end of the body between the hind legs). Bull frogs harvested must be 5 inches or larger. Pig frogs harvested must be 3 inches or larger.

(c). Check out portion of self-clearing permit must include boat registration number under the comments section. Possession of firearms while participation in any experimental nighttime activity is prohibited.

qq. Sandy Hollow. No hunting with any firearm south of Jackson Road, except school board tract, on days of scheduled field trials. Dates of field trials are listed on the check stations or can be obtained from the Hammond office (985-543-4777). Area Closed: North tract closed to all hunters first Sat. of Nov. for 2 days, except Youth and Physically Challenged Deer Hunters. Physically Challenged Wheelchair Confined Deer Hunting Blind: Access restricted. Check WMA map for location and call Hammond Office for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer

(a). Youth/Physically Challenged: first Sat. of Nov. for 2 days, either-sex.

(b). Archery: Oct. 1-Jan. 31, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, and third Sat. of Dec. for 2 days.

(d). Primitive Firearms: second Sat. of Dec. for 7 days, fourth Sat. of Dec. for 7 days, and the first Sat. of Jan. for 2 days.

ii. Turkey: opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

(a). Youth Lottery: Sat. and Sun. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed Fri. after Thanksgiving for 3 days and Youth/Physically Challenged hunt, and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon (Nighttime): day after primitive firearms season ends to last day of Feb.

v. Mourning Dove: first day and second Sat. through end of first split. Closed remainder of first split. Second and third splits are same as outside except Youth Hunt on Northern tract during the opening day of the first segment. Hunt restricted to youths younger than 18 years of age and supervising adult who must be 18 years of age or older. The supervising adult must maintain visual and voice contact with the youth at all times.

vi. Bird Dog Training: Mon. after opening day of Mourning Dove Season to the Sun. before opening of Quail Season and Feb. 1 to last day of Feb., except restricted to that portion north of Verberne Road, and east of Atherton Road (see WMA map), and except blank pistols only. Wild birds only (use of pen-raised birds prohibited).

vii. Bird Dog Training Area: an area has been designated to allow use of released birds for dog training purposes. Open all year except closed during either-sex modern firearm hunts for deer, WMA turkey season and opening weekend of the first segment of dove season. Contact Hammond Office (985-543-4777) for information.

viii. Bird Dog Field Trials: permit required from Hammond Office.

ix. Horseback Riding: Self-clearing permit required. Organized trail rides prohibited. Riding allowed only on designated roads and trails (see WMA map). Horses and mules are specifically prohibited during turkey and gun season for deer except as allowed for bird dog field trials. No horses and mules on green planted areas. Horse-drawn conveyances prohibited.

rr. Sherburne. Area Closed: Last Sat. of Oct. for 2 days to all hunters except to Youth and Physically Challenged Deer Hunters and South Farm closed to all hunters except youth lottery deer hunters. Physically Challenged Wheelchair Confined Deer Hunting Restricted Area: Access restricted. Check WMA map for location and call Lafayette or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons as listed below. Physically Challenged Wheelchair Confined Waterfowl Hunting Restricted Area: Access restricted. Call Lafayette or Baton Rouge Offices for further details. Hunting by reservation for wheelchair confined PCHP permittees only. The area known as the South Farm is located on the East

Side of Sherburne WMA as depicted on the WMA map. No hunting will be allowed on South Farm except specified lottery hunts, and except open migratory game bird hunting will be allowed during early teal season, statewide youth and veteran waterfowl seasons, and any open goose seasons that occur after the close of duck season.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex, all other seasons closed, self-clearing permit.

(c). Youth Lottery: last Sat. and Sun. of Oct., fourth Mon. of Dec., and first and second Sun. of Jan. except no hunt on Christmas Day or Christmas Eve, either-sex. Contact Lafayette office, 337-262-2080 for details and applications.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days, mandatory deer check and Sun. after Thanksgiving, self-clearing permit, and second Sat. after Thanksgiving for 2 days, self-clearing permit.

(e). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(f). Primitive Firearms: Fri. after close of Firearms Bucks only for 3 days.

ii. Turkey: closed.

iii. Small Game: same as outside except closed during Firearms Either-Sex Deer and except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

(b). On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-Oct. 31, and Mon. after close of second firearms either-sex deer season for 9 days, except closed last Sat. of Oct. for 2 days, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Waterfowl, Snipe, Rail, and Gallinules: same as outside except closed during Firearms Either-Sex Deer and except hunting after 2 p.m. prohibited except no hunting in Restricted Area.

(a). Youth Waterfowl Lottery: hunting by pre-application lottery only.

(b). General Waterfowl Lottery: hunting by pre-application lottery only.

v. Quail: closed.

vi. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vii. Crawfish: March 15-July 31, Recreational crawfishing only. Crawfish harvest limited to 100 pounds per person per day. No traps or nets left overnight. No motorized watercraft allowed on farm complexes. Retriever training allowed on selected portions of the WMA. Contact the Wildlife Field office for specific details.

viii. Vehicular traffic prohibited on East Atchafalaya River levee within Sherburne WMA boundaries.

ix. Rifle and Pistol/Handgun Range open Tuesday-Sunday. Skeet ranges: manual thrower range open Tuesday through Sunday. High and low house open by appointment only, contact Lafayette office, 337-262-2080. No trespassing in restricted areas.

x. Bird Dog Training Area: Open to bird dog training all year except closed during either-sex modern firearm hunts for deer, WMA turkey season, and opening weekend of first and second segments of dove season.

Note: Atchafalaya National Wildlife Refuge and U.S. Army Corps of Engineers land holdings within/adjacent to the Sherburne Wildlife Management Area will have the same rules and regulations as Sherburne WMA. No hunting or trapping in restricted area.

ss. Soda Lake

i. Deer

(a). Archery Only, Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: portion west of Twelve Mile Bayou same as outside, falconry only and open to squirrel hunting during the spring season, first Sat. of May for 9 days, Falconry only. Portion east of Twelve Mile Bayou open same as outside. Beagles allowed for rabbits and dogs allowed for squirrel Sat. before Christmas to end of Feb. Open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs.

tt. Spring Bayou. Area Closed: last Sat. of Oct. for 2 days to all except Youth Deer Hunters. No hunting allowed in Headquarters area. Only overnight campers allowed in the improved Boggy Bayou Camping area. Rules and Regulations posted at campsite. Water skiing permitted only in Old River and Grand Lac.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, self-clearing permit.

(d). Firearms Bucks Only: fourth Sat. of Dec. for 16 days.

(e). Primitive Firearms: Mon. after close of Firearms Bucks only for 7 days.

ii. Turkey

(a). Youth: third Sat. of April for 2 days.

iii. Small Game and Waterfowl: same as outside except small game closed during either-sex firearms hunts for deer. Waterfowl to remain open during either-sex firearms hunts for deer. Open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

v. Commercial Fishing: gill nets and trammel nets 3.5 inches and greater permitted from close of waterfowl seasons to last day of Feb., via permit only, issued from the Lafayette Field Office.

vi. Sport Fishing: same as outside except only allowed after 2 p.m. during waterfowl season, except during early Teal Season, recreational fishing allowed after 10 a.m.

vii. Crawfish: March 15-July 31. Recreational only, 100 lbs. per person per day.

uu. Tangipahoa Parish School Board. Self-clearing permits required for all activities. No horseback riding during gun season for deer or turkey. ATVs are not allowed except as otherwise specified.

i. Deer: same as outside.

ii. Turkey: same as outside.

iii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): day after primitive firearms season ends to last day of Feb.

vv. Thistlethwaite. Restricted Area: small game hunting allowed with shotgun only loaded with shot no larger than BB lead or F steel. Deer hunting allowed by archery only. Area Closed: Last Sat. of Oct. for 2 days, except to Youth Deer Hunters. All motorized vehicles restricted to improved roads only. All users must enter and leave through Main Gate only.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth Deer Hunt: last. Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-Sex: Fri. after Thanksgiving Day for 3 days, first Saturday of Dec. for 9 days, and fourth Saturday of Dec. for 2 days.

(d). Firearms Bucks Only: Mon. after the last Either-Sex Firearm hunt in Dec. for 14 days.

(e). Primitive Firearms: second Sat. in Nov. for 2 days and Mon. after close of Firearms Bucks Only for 7 days.

ii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting February 1-28.

ww. Tunica Hills. Area Closed Fri. through Sun. before opening day of statewide turkey season except youth turkey hunters and remain closed through the first nine days of the statewide turkey season except for turkey hunters. Area Closed: first Sat. of Nov. for 2 days to all except Youth Deer Hunters. Camping limited to tents only in designated areas.

i. Deer

(a). Archery: Oct. 1-15, bucks only, Oct. 16-Jan. 31, either-sex, Feb. 1-15, bucks only.

(b). Youth Hunt: first Sat. of Nov. for 2 days, either-sex.

(c). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, self-clearing permit, either-sex, second Sat. of Dec. for 9 days, except when there are 5 Sats. in Dec. then it will open on the third Sat. of Dec., the initial Sat. and Sun. either-sex, the remaining 7 days bucks only, self-clearing permit.

ii. Turkey: opening day of statewide season for 9 days.

(a). Youth Lottery: Sat. and Sun. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed during Youth Deer Hunt and Primitive Firearms Deer Hunt and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs, South Tract only. Beagles allowed for rabbits and dogs allowed for squirrel hunting third Saturday of Oct. for 7 days and Feb. 1 to last day of Feb. on South Tract only. On that portion designated as Small Game Emphasis Area (South Tract Only), training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon (Nighttime): Feb. 1 to last day of Feb. on South Tract only.

xx. Walnut Hill

i. Deer: same as outside, Archery Only, Either-sex.

ii. Turkey: same as outside.

iii. Small Game: same as outside. Open to squirrel hunting during the spring season first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting first Sat. of Jan. to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-Feb. 28, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon: second Sat. of Sept. for 16 days and first Sat. of Jan. to the last day of Feb.

yy. West Bay. Area Closed: next to last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer Hunters. Limited Use Area: small game same as outside except shotgun only and deer hunting—Archery only. See WMA map for specific location. PCHP Limited Use Area (PCHP Wheelchair Bound Hunting Area): Access restricted. Check WMA map for location and call Lake Charles or Baton Rouge offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer season listed below.

i. Deer

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex.

(b). Youth and Physically Challenged: next to last Sat. of Oct. for 2 days, either-sex, for physically challenged and youth hunters only.

(c). Firearms Either-sex: last Sat. of Oct. for 2 days, mandatory deer check and Fri. after Thanksgiving Day for 3 days, self-clearing.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and second Sat. of Dec. to Jan. 1.

(e). Primitive Firearms: Mon. after first either-sex firearms weekend for 7 days.

ii. Turkey

(a). General Lottery: opening day of statewide season for 2 days, second Sat. of April for 2 days, third Sat. of April for 2 days.

(b). Youth Lottery: Sat. before opening day of statewide season for 2 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits

and dogs allowed for squirrel hunting day after firearms bucks only season closes to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): day after firearms bucks only season closes to last day of Feb.

18. Other Areas

a. Camp Avondale Scout Reservation

i. Deer

(a). Firearms Either-sex: second Sat. in Nov. for 3 days. Restricted to scout program.

19. U.S. Forest Service Areas

a. Kisatchie National Forest (KNF)

i. Vehicles

(a). Motorized travel off designated roads and trails and outside designated areas is prohibited on the entire KNF. Motor Vehicle Use Maps (MVUM) showing designated roads and trails and associated vehicles and travel seasons are available in all Forest Service offices and on the Kisatchie website (www.fs.usda.gov/kisatchie).

(b). ATV/UTV (50" maximum width); operation is prohibited on public roads and road right of way. Use is allowed on Forest roads designated as open seasonally to ATV/UTV use. Use is prohibited in some campsites and recreation areas; see bulletin boards for additional information. (Also see MVUM)

(c). Nighttime ATV/UTV travel is prohibited. ATV/UTV travel is allowed between one hour before sunrise and one hour after sunset.

(d). Game retrieval with an ATV/UTV is only allowed along specifically designated 300-foot corridors (see MVUM).

(e). Camping corridors for highway legal vehicles to drive within 100 feet of the road and camp are designated on the Caney District and in the National Red Dirt Wildlife Management Preserve.

ii. Firearms

(a). Hunting or discharging a firearm is prohibited as follows:

(i). In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area;

(ii). Across/on/from a National Forest System Road (NFSR) legally open to motorized use;

(iii). Across a body of water where any person/property is exposed to injury/damage as a result of such a discharge;

(iv). Hunting within 50 feet of any NFSR.

(b). It is prohibited to possess a firearm having live ammunition in the chamber, magazine, cylinder or clip (when attached to a firearm), or crossbow cocked and in the ready position in or on any type vehicle while on KNF.

(c). All deer must be tagged as required by LDWF regulations.

(d). Active and retired law enforcement officers in compliance with POST requirements, Federal Law Enforcement Officers, holders of Louisiana concealed handgun permits or permit holders from a reciprocal state, who are in compliance with all other state and federal firearms regulations, may possess firearms while on KNF lands, provided these firearms are not used for any hunting purposes.

(e). The following cannot be carried while hunting on KNF lands except during modern and primitive deer seasons.

- (i). centerfire rifles;
- (ii). break-action centerfire and bolt-action centerfire handguns;
- (iii). scoped centerfire handguns;
- (iv). shotgun slugs or shot larger than BB lead or F steel.

iii. Hunter Orange: LDWF WMA regulations for hunter orange and blaze pink apply.

iv. General: Hunting or discharging a firearm in or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, across/on a NFSR legally open to motorized use, across a body of water where any person/property is exposed to injury/damage as a result of such discharge, is prohibited.

v. Hunting General

(a). Deer Bag Limit: 1 per day up to the statewide seasonal limit.

(b). All deer hunting is still-hunting only.

(c). All deer must be tagged as required by LDWF regulations.

(d). Hunting stand, blind, tripod, baiting, spot-lighting, etc. regulations applicable to LDWF WMAs are in effect on KNF (unless otherwise specified, refer to "Methods of Taking Game" section of the LDWF WMA Regulations) excluding the "Bag Limit" section and "Horses and Mules" section.

(e). Hunting from a permanent stand prohibited. Placing or leaving a temporary stand limited to 24 hours.

(f). The training of deer dogs is prohibited year-round.

(g). LDWF Youth Deer Hunt regulations apply for all KNF lands except that archery and open season small game hunting is allowed (excluding those portions of the Vernon Unit within Fort Johnson-Vernon WMA).

(h). LDWF WMA regulations for using dogs on leash to recover downed deer are in effect on KNF (unless otherwise specified, refer to "Dogs" section of the LDWF WMA Regulations). No dogs allowed to hunt deer or hogs.

vi. Archery Deer Hunting

(a). Either-sex deer may be taken at any time by archers during the archery season except when bucks-only firearms seasons are in progress on KNF (archers must hunt only bucks during bucks-only firearm seasons).

(b). Archers must adhere to the full hunter orange requirements during any firearm season for deer.

(c). Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Johnson-Vernon WMA): Same as outside.

(d). Catahoula (Grant and Rapides Parishes), Winn (Winn, Grant and Natchitoches Parishes), Kisatchie Ranger Districts (Natchitoches Parish), Evangeline Unit of the Calcasieu Ranger District (Rapides Parish), and Caney Range District (Webster and Claiborne Parishes): same as outside (including Catahoula and Red Dirt National Wildlife Management Preserves).

vii. Firearms for Deer Hunting (excludes the Catahoula and Red Dirt National Wildlife Management Preserves)

(a). Catahoula (Grant and Rapides Parishes), Winn (Winn, Grant and Natchitoches Parishes), Kisatchie Ranger Districts (Natchitoches Parish), Evangeline Unit of the Calcasieu Ranger District (Rapides Parish), and the Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Johnson-Vernon WMA).

(b). Youth only, either-sex, same as outside, still hunt only; LDWF regulations for hunter orange apply.

(c). Primitive Firearms, either-sex: next to last Sat. of Oct. through Sun. after the next to last Sat. of Oct., Sat. after close of Dec. firearms bucks only hunt for 2 days, still hunt only.

(d). Firearms, either-sex: last Sat. of Oct. through Sun. after the last Sat. of Oct., Fri. after Thanksgiving, still hunt only.

(e). Firearms, bucks only: Sat. after the last Sat. of Oct. through Thanksgiving, Sat. after Thanksgiving through Sun. after Thanksgiving, second Sat. of Dec. for 16 days, still hunt only.

viii. Caney Ranger District (Webster and Claiborne Parishes): same as outside including Youth Only Hunt and Primitive Firearms (Area 2) except still hunt only. Either-sex entire season.

ix. Turkey: opening day of statewide season for 23 days except season will open for 24 days when statewide season opens Good Friday (on all ranger districts except the Caney Ranger District); Caney Ranger District: opening day of statewide season for 16 days except season will open for 17 days when statewide season opens Good Friday.

x. Turkey Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days (on all Ranger Districts except Vernon Unit lands within Fort Johnson-Vernon WMA).

xi. Other seasons on entire KNF (See Catahoula/Red Dirt National Wildlife Management Preserve section for additional information)

(a). Rabbit, Squirrel, Quail and Migratory Game Birds: same dates and bag limits as outside except closed to squirrel hunting during the spring season. Youth squirrel: fourth Sat. of Sept. for 2 days.

(b). Waterfowl: same as outside except waterfowl hunting ceases at 2 p.m. If hunting on Corney Lake (Caney Ranger District), a permit (free of charge) is required for the use of a duck blind on the lake.

(c). Feral Hogs, Coyotes, Armadillos and Beavers: may be taken during daylight hours only, on any KNF hunt by properly licensed hunters with weapons legal for that hunt.

(d). Fox (chase only), Raccoons, Opossums (nighttime, chase only): may be hunted during daylight or nighttime from Oct. 1 through Feb. 28 unless otherwise stated. A licensed hunter may take raccoon or opossum, two per person per day, except during the trapping season when there shall be no limit. (Please see Louisiana Trapping Regulations pamphlet for additional information. Also please see "Hunting-dog usage during deer firearm seasons" section below for exceptions).

(e). Bobcat and Nutria: LDWF regulations apply.

(f). Crows: may be taken Sept. 1 through Jan. 1 only.

(g). Fishing: LDWF state creel limits apply (See Louisiana Fishing Regulations pamphlet for additional information).

(h). Trapping: see LDWF Trapping Regulations pamphlet for additional information.

(i). Hunting Dog Usage: Hunting dog usage during deer firearm seasons (only for KNF areas outside the Catahoula and Red Dirt National Wildlife Management Preserves): hunting dogs that are legal for hunting species other than deer, and that stay within voice-command distance of handler are allowed during deer gun hunts. Hunting dogs that range beyond voice-command distance of handler are prohibited during deer gun hunts. The training of deer or hog dogs is prohibited year-round. Hunting with recognized bird-hunting dogs during quail and woodcock seasons, recognized raccoon-hunting dogs during raccoon hunting season and recognized pointer/retriever dogs during migratory bird season is permissible. Only beagles which do not exceed 15 inches at the front shoulder may be used for rabbit hunting. All dogs must be collared with owner's name and phone number attached. Dogs running at large are prohibited. The owner/handler shall be liable.

(j). Hunting-dog training: March 1 through Sept. 30 (except all dogs prohibited during turkey hunting season), allowed only in the following circumstances: dogs are within voice-command distance of handler; dogs are participating in nighttime raccoon chases mentioned above; dogs are participating in licensed events conducted by nationally recognized kennel clubs (KNF permit required-contact Forest Supervisor's office); dogs are under close control of hikers; and any dog on a leash. No firearms allowed while training dogs. Hunting-dog training prohibited in Catahoula and Red Dirt National Wildlife Management Preserves.

(k). Bird Dog Training Area: only that portion of the Vernon Unit known as the "dove field". Bird dogs may be trained year-round except closed during turkey season. Permit required from LDWF to use pen-raised quail.

(l). Hunting-Dog Nighttime Chase Only: (All breeds allowed, no deer dogs or hog dogs). May 1 through Sept. 30, Tuesdays and Fridays only. No firearms allowed. Nighttime ATV/UTV travel is prohibited. Hunting-dog nighttime chase is prohibited in the Catahoula and Red Dirt National Wildlife Management Preserves during this period.

xii. Catahoula and Red Dirt National Wildlife Management Preserves (NWMP). Owner: U.S. Forest Service: Catahoula NWMP – 36,000 acres in Grant and Winn Parishes; Red Dirt NWMP – 38,000 acres in Natchitoches Parish.

(a). Season Permit required for hunting, fishing and/or trapping on the preserve; for a permit or to get additional information contact the Forest Supervisor's Office, Winn, Catahoula or Kisatchie Ranger District offices or <https://www.fs.usda.gov/activity/kisatchie/recreation/hunting>. In addition to the Season Permit, a Self-Clearing Daily Permit is required for all hunters during all deer gun hunts and turkey hunts. The Self-Clearing Daily Permits will be available at the main check stations, hunter-camps within the NWMPs, Kisatchie, Winn and Catahoula district offices, and at the Forest Supervisor's Office. Permits are free of charge. The self-clearing permit consists of two portions: check-in and check-out. The check-in portion must be completed and

put in the permit box before each hunt on the day of the hunt. The check-out portion must be carried by each person while on the NWMP and must be completed and put in the permit box immediately at the end of the day's hunt. Hunters can also check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal. Users that check in by electronic means are required to possess proof of check in and must check out within 24 hours.

Note: When mandatory deer checks are specified (see below), all hunters must check deer at the NWMPs main check stations.

(b). Hunting with Dogs: hunting with recognized bird-hunting dogs during quail and woodcock seasons, recognized raccoon-hunting dogs during raccoon hunting season, and recognized pointer/retriever dogs during migratory bird season is permissible. Only beagles which do not exceed 15 inches at the front shoulder may be used for rabbit hunting. All dogs must be collared with owner's name and phone number attached. Dogs running at large are prohibited. The owner/handler shall be liable. No training of dogs in the NWMPs outside of pertinent seasons.

(c). Select Prohibitions: additional information and prohibitions are provided on Season Permit for the NWMPs.

(d). Deer

(i). Archery Season: same as Area 2. Archers are required to check harvested deer at the main check station during the mandatory deer check days, see dates below.

(ii). Youth Only Hunt, Either-Sex: same as outside, still hunt only. Self-clearing daily permit required.

(iii). Physically Challenged Hunt, Either-Sex: second Sat. of Oct. through Sun. after the second Sat. of Oct., still hunt only, self-clearing daily permit required; hunters must also have in possession a LDWF Physically Challenged Hunters Permit.

(iv). Primitive Firearms, Either-Sex: next to last Sat. of Oct. through Sun. after the next to last Sat. of Oct., still-hunt only, self-clearing daily permit required. Mandatory deer check at main check stations.

(v). Firearms, Either-Sex: last Sat. of Oct. through Sun. after the last Sat. of Oct., and Fri. after Thanksgiving, still-hunt only, self-clearing daily permit required. Mandatory deer check at main check stations.

(vi). Firearms, Bucks Only: Sat. after Thanksgiving through Sun. after Thanksgiving, still-hunt only, self-clearing daily permit required.

(e). Turkey

(i). Opening day of statewide season for 23 days except season will open for 24 days when statewide season opens Good Friday.

(ii). Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

(f). Squirrel, Rabbit, Quail, Dove, Woodcock and Waterfowl (without dogs): all seasons same as outside (unless otherwise stated) except closed during deer firearm hunts. Consult LDWF hunting pamphlet for additional information. No spring squirrel season.

(g). Youth Squirrel: fourth Sat. of Sept. for 2 days.

(h). Squirrel/Rabbit (with dogs): first Sat. of Jan. through last day of Feb.

(i). Quail (with dogs): same as outside.

(j). Raccoon/Opossum (non-dog season/daylight hours): may be taken by properly licensed hunter as incidental take with gear legal for the season in progress.

(k). Raccoon (nighttime, with dogs): first Sat. of Jan. through last day of Feb.

(l). Fishing: closed to fishing during deer gun hunts.

20. Bayou Teche National Wildlife Refuge: Owned by U.S. Fish and Wildlife Service, 9,028 acres within St. Mary Parish

a. Deer

i. Archery: same as outside, except closed during youth and firearms deer seasons, limit one deer per day.

ii. Youth Firearms: last Sat. of Oct. for 2 days, either-sex, limit one deer per day; Mitigation Unit closed.

iii. Firearms: last full weekend including Fri. in Nov., either-sex, limit one deer per day; Mitigation Unit closed.

b. Small Game: same as outside, except closed during youth and firearms deer seasons; Franklin Unit closed.

c. Waterfowl: same as outside except closed after 12 noon, and except closed during firearms deer season; Franklin Unit closed.

21. U.S. Army Corps of Engineers Areas

a. Bonnet Carre' Spillway: The use and/or possession of firearms is prohibited in the ARCHERY-ONLY area. Baiting or hunting over bait for any species is prohibited. The use and/or possession of alcoholic beverages is prohibited while in possession of a firearm.

i. Vehicles. Motorized Vehicles and All-Terrain Vehicles: all motorized vehicles, including automobiles, ATVs and motorcycles are restricted to designated roads and trails. ATVs must be operated under a valid permit from Spillway Office, be brought in to the area by vehicle or trailer, off loaded in parking areas and may only be operated on designated trails. Vehicles must park in designated parking areas. Blocking gates or roads with a vehicle or ATV is prohibited. ATVs are not allowed off designated trails. The use of ATVs outside of the ATV area without a permit is strictly prohibited, No Exceptions! Designated trails are open from 5 a.m. until two hours after sunset.

ii. Firearms. The possession of firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons are prohibited except during designated area hunts. Hunters must have firearms unloaded at all times while traveling within the area by motor vehicle, ATV, horse, bicycle and while in a vessel under mechanical power. Loaded weapons are not allowed within 100 feet of designated ATV trails, foot trails, and roads; or within 100 yards of designated parking areas. Loaded is defined as shells or cartridges in the gun's chamber, magazine, cylinder or clip when attached to firearms or crossbows cocked and in the ready position, or caps on muzzleloader.

iii. Deer: All users except waterfowl hunters must display a total of 400 square inches of "Hunter Orange" and wear a "Hunter Orange" cap during the open gun hunts for

deer. Hunter orange must be worn the entire time while in the field.

(a). Archery (bucks only): Oct. 1-15.

(b). Archery (either-sex): Oct. 16-Feb. 15, UNLESS a bucks only season is in progress.

(c). Shotgun (either-sex): Fri. after Thanksgiving Day for 3 days.

(d). Shotgun (bucks only): Sat. before Christmas for 16 days.

(e). Youth (either-sex): last Sat. in Oct. for 2 days. Additional permit required from Spillway office.

iv. Small Game, Migratory Game Birds and Waterfowl: same as outside. Shotgun only. Hunting waterfowl after 12 p.m. (noon) prohibited. During shotgun deer season, use of dogs allowed for waterfowl hunting only. Dove hunting zone is the South Zone. Waterfowl hunting zone is the East Zone. Squirrel and Rabbit: hunting with dogs not allowed north of US 61 during shotgun season for deer.

v. Armadillos, Beaver, Feral Hogs, Nutria, and Coyote: may be taken incidental to any Spillway hunt with weapons legal for that hunt.

b. Indian Bayou Area. Additional Permit required and posted restrictions apply for all persons regardless of age. Permits must be signed prior to hunting any game and must be carried at all times while in the field. To obtain a permit, see bulletin boards on-site, visit the Atchafalaya Basin Floodway System Project Office, 112 Speck Lane, Port Barre, LA 70577, phone (337) 585-0853 or visit the project website <https://www.mvn.usace.army.mil/recreation/> (then click on Atchafalaya Basin). All hunting shall be still hunting only, except as otherwise specified.

i. Deer: daily limit on deer is one per day. Antler Deer Point Restriction: A legal buck shall be defined as a deer with at least 4 points on one side or a deer with unbranched antlers commonly referred to as spikes (no minimum length). To be counted as a point, a projection must be at least one inch long and its length must exceed the length of its base. The beam tip is counted as a point but not measured as a point.

(a). Archery: Oct. 1-15 bucks only. Oct. 16-Feb. 15, either-sex.

(b). Youth and Physically Challenged Deer Hunt: fourth Sat. of Oct. for 2 days, first Sat. of Nov. for 2 days, either-sex, no antler restrictions, mandatory deer check. All other seasons CLOSED.

(c). Firearms Either-sex: Fri. after Thanksgiving for 3 days, first Sat. of Dec. for 2 days. Mandatory deer check.

(d). Primitive Firearms Either-sex: second Fri. of Dec. for 3 days.

(e). Firearms Bucks Only: last Sat. of Dec. for 9 days, mandatory deer check.

(f). Deer Youth Lottery: third Sat. of Nov., third Sat. of Dec., Tues. after third Sat. of Dec.

ii. Turkey: closed.

iii. Small Game, Migratory Game Birds and Waterfowl: same as outside except CLOSED during Youth and Physically Challenged Deer Hunt, and during Firearms Either-sex deer season (except waterfowl season will remain open during all deer gun hunts). Hunting waterfowl after 2

p.m. prohibited. Squirrel and rabbit hunting with dogs allowed second Sat. of Jan. to last day of Feb. Youth squirrel hunt fourth Sat. of Sept. for 2 days. Raccoon (Nighttime): second Sat. of Sept. for 16 days, Mon. after second Sat. of Jan. to last day of Feb. Special use permit required.

iv. Hogs, Coyote, Beaver, and Armadillos: may be taken incidental to any hunt with weapons legal for that hunt. All visitors except waterfowl hunters must display a total of 400 square inches “hunter orange” or “blaze pink” and wear a “hunter orange” or “blaze pink” cap during the open gun and primitive weapons season for deer. Hunters participating in dog seasons for rabbit, squirrels and woodcock must wear a minimum of “hunter orange” or “blaze pink” cap. All hunters and archers (while on the ground), except waterfowl hunters, also must wear a minimum of a “hunter orange” or “blaze pink” cap during the special dog season for rabbits and squirrels. Consult U.S. Army Corps of Engineers’ “Hunting Guide to Indian Bayou” brochure for additional posted restrictions.

v. Crawfishing: Commercial and recreational crawfishing is permitted from Oct. 1-Jan. 31 starting at 12 p.m. each day and all day from Feb. 1-July 31 with an additional annual permit required. A maximum limit of 500 traps for Commercial Crawfishing. All equipment left on the area (including traps) must also be tagged with the permit number issued. The permit is available Jan. 1. Call USACE Port Barre Office for more details, 337-585-0853 or visit www.mvn.usace.army.mil/Missions/Recreation/AtchafalayaBasin.aspx.

vi. Prohibited Activities:

(a). Possessing a loaded firearm while traveling within the area by motor vehicle, ATV, UTV, horse, bicycle and while in a vessel under mechanical power. Possessing a loaded weapon within 100 feet of a parking area or designated trail. Hunting or possessing loaded weapons within 100 feet of pipelines during deer gun and primitive weapon hunts. Hunting, possessing weapons, in any No Hunting Areas, except registered Wheelchair Bound Hunters within that designated area. See project map for locations. Loaded is defined as a firearm having live ammunition in the chamber, magazine, cylinder or clip when attached to the firearm or crossbow cocked and in the ready position. Target practicing or skeet shooting.

(b). Operation of motorized vehicles, which includes automobiles, ATVs, UTVs, electronic bicycles and motorcycles off specifically designated roads and trails as indicated on area map. Operating motorized vehicles on Physically Challenged trails while being under the age of 60 or without a Physically Challenged Hunter Permit issued by Louisiana Department of Wildlife and Fisheries. Operating an ATV or UTV with a tire lug greater than one inch. Use of airboats.

(c). Camping, parking or mooring houseboats overnight.

(d). Hunting from a permanent blind or stand constructed of non-natural vegetation or held together by metallic fasteners. Natural vegetation is defined as natural branches that are two inches or less in diameter. Leaving personal property on project property overnight including tree stands, blinds, decoys and trail cameras, etc.

(e). Baiting, hunting over bait, or possession of bait, salt or ingestible attractant while on project property. Feeding of any wildlife including alligators.

(f). Moving deer or hogs with organized drivers, standers and/or noise-making devices.

(g). Cutting trees, limbs or brush.

c. Old River Control and Lock Area: Additional permit required and posted restrictions apply for all persons regardless of age. Permits must be signed prior to hunting any game and must be carried at all times while in the field. To obtain a permit: see brown box in front of Old River campground for *Old River Hunting and Trail Guide* or visit the Old River website www.mvn.usace.army.mil/Missions/Recreation/Old-River-Control or call phone 225-492-2169. All hunters must have in their possession a picture ID and valid State Hunting License and a signed Corps of Engineers hunting permit. Use of DOGS is RESTRICTED during the deer season, except for duck hunting. Raccoon, rabbit and squirrel hunting with dogs are permitted after deer season, unless otherwise specified. Baiting or hunting over bait for any species is prohibited. The possession of loaded weapons and the discharging of firearms are prohibited within 100 feet of designated roads, levees, and parking areas and 200 feet of water control structures and navigational locks.

i. Deer: all deer hunting shall be STILL HUNTING ONLY. Moving deer or hogs on Corps land with organized drivers and standers, or making use of noises or noise making devices is prohibited.

(a). Archery (either-sex): Oct. 1-Jan. 31.

(b). Muzzleloader (blackpowder only): second Sat. in December for 2 days. During the Muzzleloader season you may only use black powder weapons or archery equipment. Black powder weapons must use black powder or approved substitute only and must be loaded from the muzzle.

(c). Shotgun (either-sex): Fri. after Thanksgiving Day for 3 days.

(d). Shotgun (bucks only): last Sat. of Dec. for 9 days.

(e). Youth (either-sex): 17 years and under: last Sat. of Oct. for 2 days.

ii. Turkey: closed.

iii. Small Game, Migratory Game Birds and Waterfowl: same as outside, except hunting waterfowl after 2 p.m. prohibited, no firearms larger than .22 caliber rimfire and except beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after Thanksgiving for 12 days and end of Shotgun bucks only to last day of Feb.

iv. Woodcock: same as outside except hunting with dogs prohibited.

v. Raccoon: day after Shotgun bucks only season ends to last day of Feb.

vi. Hogs, Coyote, Beaver, and Nutria: may be taken incidental to any hunt with weapons legal for that hunt.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and R.S. 56:116.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:1279 (July 1999), amended LR 26:1494 (July 2000), LR

27:1049 (July 2001), LR 28:1603 (July 2002), LR 29:1124 (July 2003), repromulgated LR 29:1522 (August 2003), amended LR 30:1495 (July 2004), LR 31:1611 (July 2005), LR 32:1251 (July 2006), LR 33:1382 (July 2007), LR 34:1429 (July 2008), LR 35:1264 (July 2009), LR 36:1566 (July 2010), LR 37:2190 (July 2011), LR 38:1732 (July 2012), LR 39:2292 (August 2013), LR 40:1540 (August 2014), LR 41:963 (May 2015), LR 42:1112 (July 2016), LR 43:1423 (July 2017), LR 44:1277 (July 2018), LR 45:938 (July 2019), LR 46:961 (July 2020), LR 47:904 (July 2021), LR 48:511 (March 2022), LR 48:1867 (July 2022), LR 49:1235 (July 2023), LR 50:794 (June 2024), LR 51:

§113. General and WMA Turkey Hunting Regulations

A. General Regulations. Only adult gobblers (male turkeys) may be taken. An adult gobbler is defined by having one of the following: wing feathers that have white barring all the way to the tip, tail feathers that are the same length, beard that is longer than 6 inches, or a spur that is at least 1/2-inch long. Properly licensed youth under 18 years of age may take one juvenile male turkey (jake) with a beard less than six inches per season. Any turkey harvested during the youth season are part of the season bag limit of two. Taking of hen (female) turkeys, including bearded hens, is prohibited; still hunting only. Use of dogs, electronic calling devices, motorized decoys and live decoys is illegal. Turkeys may be hunted with shotguns, including muzzleloading shotguns, using shot not larger than #2 lead, #2 non-toxic, or BB steel shot, and approved archery equipment but by no other means. Shooting turkeys from a moving or stationary vehicle is prohibited. Shotguns capable of holding more than three shells prohibited. The running of coyote with dogs is prohibited in all turkey hunting areas during the open turkey season. No person shall hunt, trap or take turkeys by the aid of baiting or on or over any baited area. Baiting means placing, exposing, depositing or scattering of corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed so as to constitute a lure, attraction or enticement to, on or over any areas where hunters are attempting to take turkeys. A baited area is any area where corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed capable of luring, attracting or enticing turkeys is directly or indirectly placed, exposed, deposited, distributed or scattered. Such areas remain baited areas for 15 days following complete removal of all such corn, wheat or other grain, salt, or other feed. Wildlife agents are authorized to close such baited areas and to place signs in the immediate vicinity designating closed zones and dates of closures. No person hunting turkeys more than 200 yards from a baited area will be in violation of the turkey baiting regulation.

B. Tags

1. Prior to hunting turkeys, all turkey hunters, regardless of age or license status, must obtain turkey tags and have them in their possession while turkey hunting. Turkey tags may only be used by the hunter to whom the tag was issued. Hunters who allow their turkey tags to be used by another person, or who use tags issued to another person, are in violation of this Rule and are subject to fines and other administrative penalties, including, but not limited to, the automatic forfeiture of any remaining turkey tags for the season for which they are issued. Immediately upon killing a turkey, hunters must attach a carcass tag to or electronically tag the turkey before it is moved from the site of the kill and must document the kill on the turkey harvest report card. If using carcass tags, the date of kill and parish of kill must be

recorded on the carcass tag, and the tag must remain attached to the turkey while kept at camp or while it is transported to the domicile of the hunter or to a cold storage facility. Hunters who keep the carcass or meat at a camp must also comply with game possession tag regulations. Within 72 hours of the kill, the hunter must report the kill. Hunters may report turkeys electronically, calling the validation phone number, or using the validation website.

2. Turkey hunters purchasing licenses by phone will be given an authorization number and a LDWF identification number that will serve as their license and tags until the physical license and tags arrive by mail. Turkey hunters who have purchased a license with tags, but have not yet received their physical license and tags, must immediately tag their kill with a possession tag before moving it from the site of the kill. The authorization number and LDWF identification number must be recorded on the possession tag. Hunters must retain documentation of any turkeys killed and upon receiving their physical tags and harvest report card, validate their kill as required in these regulations. The tags for turkeys killed prior to receiving the physical tags must be removed from the turkey harvest report card and discarded.

3. Tags removed from the turkey harvest report card prior to killing a turkey are no longer valid and if lost will not be replaced. Duplicate tags and turkey harvest report cards are available to replace lost report cards and attached tags. Hunters will be charged a fee for duplicate turkey harvest report cards and tags. Hunters that have killed a turkey prior to losing their remaining tag and harvest report card must remove and discard the duplicate tag to account for the original tag that was used and validated. Hunters must record any previously validated turkey on the duplicate turkey harvest report card.

C. Possession of Live Wild Turkeys. No person shall take live wild turkeys or their eggs from the wild. No person shall possess captive live wild turkeys, (*Meleagris gallopavo silvestris*, *M.g. osceola*, *M.g. intermedia*, *M.g. merriami*, *M.g. mexicana*) or their eggs, regardless of origin, without a valid game breeder license. No pen-raised turkeys from within or without the state shall be liberated (released) within the state.

D. Statewide Youth and Physically Challenged Season Regulations. Only youths 17 years of age or younger or hunters possessing a physically challenged hunter permit with wheelchair classification may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Additionally, any person younger than 18 years of age shall have in their immediate possession a valid, original youth license. Adults accompanying youth may not possess a firearm or bow. Youths may possess only one firearm or bow while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Only one gobbler (male turkey) per day may be taken and any gobbler

(male turkey) taken by the hunter during this special season counts towards their season bag limit of two.

E. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

F. Turkey Hunting Area Descriptions

1. Area A

a. All of the following parishes are open:

- i. Beauregard;
- ii. Bienville;
- iii. Bossier;
- iv. Claiborne;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

- v. East Baton Rouge;
- vi. East Feliciana;
- vii. Grant;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates;

- viii. Jackson;
- ix. LaSalle;
- x. Lincoln;
- xi. Livingston;
- xii. Natchitoches;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

- xiii. Sabine;
- xiv. St. Helena;
- xv. St. Tammany;
- xvi. Tangipahoa;
- xvii. Union;
- xviii. Vernon;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

xix. Washington;

xx. Webster

xxi. West Feliciana (including Raccourci Island);

xxii. Winn.

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

b. Portions of the following parishes are also open:

- i. Allen—north of US 190 east of Kinder, west of US 165 south of Kinder;
- ii. Calcasieu—north of I-10;
- iii. Caldwell—west of Ouachita River southward to Catahoula Parish line;
- iv. Catahoula—south and west of the Ouachita River from the Caldwell Parish line southward to LA 8 at Harrisonburg, north and west of LA 8 from Harrisonburg to the LaSalle Parish line, also that portion lying east of LA 15;
- v. East Carroll—that portion east of the main channel of the Mississippi River;
- vi. Evangeline—north and west of LA 115, north of LA 106 west of LA 115 to US 167, west of US 167 south to LA 10, north of LA 10 west of US 167 to LA 13, west of LA 13 south of LA 10 to Mamou and north of LA 104 west of Mamou;
- vii. Jefferson Davis—north of US 190 from junction with LA 26 to Kinder, west of US 165 and north of I-10 west from junction of US 165;
- viii. Madison—that portion east of the main channel of the Mississippi River;

ix. Morehouse—west of US 165 from the Arkansas line to the junction of LA 140 at Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to US 165 at Bastrop, south of US 165 to junction of LA 3051 (Grabault Road) south of LA 3051 to junction of LA 138, west of LA 138 to junction of LA 134, north of LA 134 to the Ouachita Parish line;

x. Ouachita—all west of the Ouachita River. That portion east of the Ouachita River lying north of US 80;

xi. Rapides—all west of Red River and north of LA 28 east from Pineville, LA east to LaSalle Parish line;

xii. Tensas—that portion east of the main channel of the Mississippi River.

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

2. Area B

a. All of the following parishes are open:

- i. Caddo;
- ii. DeSoto;
- iii. Red River.

3. Area C

a. All of the following parishes are open:

- i. Ascension;
- ii. Concordia;
- iii. Franklin;
- iv. Iberville;
- v. Pointe Coupee;
- vi. West Baton Rouge.

b. Portions of the following parishes are open:

i. Avoyelles—that portion bounded on the east by the Atchafalaya River, on the north by Red River to the Brouillette Community, on the west by LA 452 from Brouillette to LA 1, on the south by LA 1, eastward to Hamburg, thence by the west Atchafalaya Basin protection levee southward;

ii. Caldwell—all east of the Ouachita River;

iii. Catahoula—all of the parish except for that portion located in area A;

iv. Iberia—east of the west Atchafalaya Basin protection levee;

v. Madison—that portion lying east of US 65 from East Carroll Parish line to US 80 and south of US 80;

vi. Richland—west of LA 17 from Franklin Parish line to Ringle Road, south of Ringle Road to Ferguson Road, south of Ferguson Road to Little Road, south of Little Road to Big Creek, east of Big Creek to Franklin Parish line and that portion south of US 80 and east of LA 17;

vii. St. Landry—that portion bounded on the west by the west Atchafalaya Basin Protection Levee and on the east by the Atchafalaya River;

Exception: the Indian Bayou area; see federal lands hunting schedule for Indian Bayou area dates.

viii. Tensas—that portion west of the main channel of the Mississippi River;

ix. Upper St. Martin—all within the Atchafalaya Basin; in addition, that area bounded on the North by LA 352; on the West by LA 349, to LA 3039, to LA 347, to the Catahoula Hwy. (LA 96), to LA 679, to LA 345; and on the south by LA 3242;

Exceptions: Indian Bayou area, see federal lands hunting schedule for Indian Bayou dates.

4. Turkey season dates on wildlife management areas, national wildlife refuges, Kisatchie National Forest and U.S. Army Corps of Engineers land located within areas A, B, and C may vary from the season set for the parish in which they are located. Seasons for these lands are specified in LAC 76:XIX.115.

G. WMA Turkey Hunting Regulations

1. WMAs with youth turkey hunts are closed to all activities except turkey hunting by authorized youth hunt participants, shooting range use, and fishing on the day(s) of the youth hunt.

2. Rules Specific to Certain WMAs

a. Sandy Hollow. No turkey hunting within 100 yards of food plots identified by two yellow paint rings around the nearest tree.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2263 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2375 (November 2002), LR 29:2512 (November 2003), LR 30:2874 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2469 (November 2007), LR 35:91 (January 2009), LR 35:2478 (November 2009), LR 36:2581 (November 2010), LR 37:3535 (December 2011), LR 38:2941 (November 2012), LR 40:96 (January 2014), LR 40:1554 (August 2014), LR 41:977 (May 2015), LR 42:1127 (July 2016), LR 43:1426 (July 2017), LR 44:1303 (July 2018), LR 45:964 (July 2019), LR 46:988 (July 2020), LR 47:934 (July 2021), LR 48:1897 (July 2022), LR 49:1266 (July 2023), LR 50:422 (March 2024), LR 50:50:826 (June 2024), LR 51:

§115. Turkey Hunting Areas, Seasons, and Bag Limits

A. Daily limit is one adult gobbler (male turkey). An adult gobbler is defined by having one of the following: wing feathers that have white barring all the way to the tip, tail feathers that are the same length, beard that is longer than 6 inches, or a spur that is at least 1/2-inch long. Properly licensed youth under 18 years of age may take one juvenile male turkey (jake) with a beard less than six inches per season. Season limit is two gobblers (male turkey). Any turkey harvested during the youth season are part of the season bag limit. Turkeys taken on WMAs are part of the season bag limit. Only one turkey may be taken during spring WMA lottery hunts.

B. Turkey season will open on the first Saturday in April. The area A turkey season will be 30 consecutive days in length, the area B turkey season will be 23 consecutive days in length, and the area C turkey season will be 16 consecutive days in length. Wildlife management areas, national forests, national wildlife refuges, and U.S. Army Corps of Engineers land may vary from this framework. On those years when the first Saturday in April falls the day before Easter, then the season will open the Friday before the first Saturday in April and Area A turkey season will be 31

consecutive days in length, Area B turkey season will be 24 consecutive days in length, and Area C turkey season will be 17 consecutive days in length.

C. Statewide youth turkey and physically challenged season on private lands shall be the weekend prior to the start of the regular turkey season. On those years when the weekend prior to the start of regular turkey seasons falls on Easter weekend, then the youth and physically challenged season will open on Good Friday.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2264 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2376 (November 2002), LR 29:2512 (November 2003), LR 30:2875 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2470 (November 2007), LR 35:90 (January 2009), LR 35:2481 (November 2009), LR 36:2583 (November 2010), LR 37:3541 (December 2011), LR 38:2944 (November 2012), LR 40:99 (January 2014), LR 40:1556 (August 2014), LR 41:980 (May 2015), LR 42:1129 (July 2016), LR 43:1426 (July 2017), LR 44:1306 (July 2018), LR 45:966 (July 2019), LR 46:990 (July 2020), LR 47:936 (July 2021), LR 48:1899 (July 2022), LR 49:1268 (July 2023), LR 50:828 (June 2024), LR 51: .

§117. Migratory Bird Seasons, Regulations, and Bag Limits

A. Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	South Zone: Sept. 6-Sept. 21 Oct. 18-Nov. 30 Dec. 13-Jan. 11 North Zone: Sept. 6-Sept. 28 Oct. 11-Nov. 16 Dec. 20-Jan. 18	15 (in aggregate)	45 (in aggregate)
Woodcock	Dec. 18-Jan. 31	3	9
Teal (Blue-winged, Green-winged and Cinnamon)	Sept. 20-Sept. 28	6	18
King and Clapper Rails	Sept. 20-Sept. 28 Nov. 8-Jan. 7	15 (in aggregate)	45 (in aggregate)
Sora and Virginia Rails	Sept. 20-Sept. 28 Nov. 8-Jan. 7	25 (in aggregate)	75 (in aggregate)
Gallinules	Sept. 20-Sept. 28 Nov. 8-Jan. 7	15	45
Snipe	West Zone: Nov. 1-Nov. 30 Dec. 14-Feb. 28 East Zone: Nov. 1-Nov. 30 Dec. 14-Feb. 28	8	24

Species	Season Dates	Daily Bag Limit	Possession Limit
Ducks, Coots and Mergansers	West Zone: Nov. 1-Nov. 2 (youth only) Nov. 8-Nov. 30 Dec. 13-Jan. 18 Jan. 24-Jan. 25 (Veteran's only) East Zone: Nov. 8-Nov. 9 (youth only) Nov. 15-Nov. 30 Dec. 13-Jan. 25 Jan. 30-Jan. 31 (Veteran's only)	Daily bag limit on ducks is 6 and may include no more than 4 mallards (no more than 2 females), 3 wood ducks, 2 canvasbacks, 2 redheads, 1 black duck and 3 pintails. Only 1 scaup may be taken for the first 15 days of the season with 2 per day allowed for the remainder. No mottled ducks may be taken for the first 15 days of the season with 1 per day allowed for the remainder. Daily bag limit on coots is 15. Mergansers- The daily bag limit for mergansers is 5, only 2 of which may be hooded mergansers, in addition to the daily bag limit for ducks.	Three times the daily bag limit.
Light Geese (Snow, Blue, and Ross') and White-Fronted Geese	East Zone: Nov. 1-Nov. 30 Dec. 13-Jan. 25 West Zone: Nov. 1-Nov. 30 Dec.13-Jan. 25	Daily bag limit on Light Geese (snow, blue, and ross') is 20. Daily bag limit on White-Fronted Geese is 3.	No possession limit on Light Geese (snow, blue, and ross') Possession limit on White-Fronted Geese is 9.
Canada Geese	East Zone: Nov. 1-Nov. 30 Dec. 13-Jan. 25 West Zone: Nov. 1-Nov. 30 Dec. 13-Jan. 25	1	3

B. Conservation Order for Light Geese Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Light Geese (Snow, Blue, and Ross')	East Zone: Dec. 1-Dec. 12 Jan. 26-Mar.1 West Zone: Dec. 1-Dec. 12 Jan. 26-Mar. 1	No daily bag limit.	No possession limit.

C. Extended Falconry Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	Sept. 13-Sept. 29	Falconry daily bag and possession limit for all permitted migratory game birds must not exceed 3 and 9 birds, respectively, singly or in aggregate, during the extended falconry seasons and regular hunting seasons.
Woodcock	Nov. 1-Dec. 17	
Rails and Gallinule	Nov. 1-Nov. 14 Jan. 5-Jan. 25	
Ducks	Nov. 1-Jan. 28	

D. Dove Hunting Regulations

1. Shooting hours: one-half hour before sunrise to sunset.
2. There is no bag limit on Eurasian collared-doves or Ringed Turtle-doves provided that a fully feathered wing and head remain attached to the carcass of the bird. Fully dressed Eurasian collared-doves and ringed turtle doves (those without a fully feathered wing and head naturally attached to the carcass) shall be included in the aggregate bag.
3. The following boundary divides the dove season zones: beginning at the Texas-Louisiana border on LA Hwy. 12; thence east along LA Hwy 12 to its intersection with U.S. Hwy 190; thence east along U.S. Hwy 190 to its intersection with I-12; thence east along I-12 to its intersection with I-10; then east along I-10 to the Mississippi state line.

E. Snipe Hunting Regulations. Shooting hours one-half hour before sunrise to sunset, except at the Spanish Lake recreation area in Iberia Parish where shooting hours, including the conservation end at 2 p.m.

F. Conservation Order for light geese. Only snow, blue, and Ross' geese may be taken under the terms of the conservation order. Electronic calls and unplugged shotguns allowed. No daily bag or possession limit. Shooting hours one-half hour before sunrise until one-half hour after sunset.

G. Canada Goose Season Closure. The Canada goose season will be open statewide except for a portion of southwest Louisiana described as follows: beginning at the Texas State Line, proceeding east along LA Hwy. 82 to the Calcasieu Ship Channel, then north along the Calcasieu Ship Channel to its junction with the Intracoastal Canal, then east along the Intracoastal Canal to its juncture with LA Hwy. 82, then south along LA Hwy. 82 to its juncture with Parish Road 3147, then south and east along Parish Road 3147 to Freshwater Bayou Canal, then south to the Gulf of Mexico, then west along the shoreline of the Gulf of Mexico to the Texas State Line, then north to the point of beginning at LA Hwy. 82. Open waters of Lake Arthur and the Mermentau River, from the Hwy 14 bridge southward, will also be closed.

H. Statewide Youth Waterfowl and Veterans Season Regulations.

1. Only youths 17 years of age or younger may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety

certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times.

2. Veterans refers to those persons who served in the active military, naval or air service who were discharged or released under conditions other than dishonorable, and members of the Armed Forces on active duty including members of the National Guard and Reserves on active duty (other than for training). Veterans and active duty military personnel must possess a valid proof of service such as DD214 form, Active Military ID, Retired Military ID, Veterans Administration ID, or Veterans designation on their Driver's License as well as mandatory waterfowl license(s), HIP certification, and Federal duck stamp to participate on these hunt days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1130 (July 2016), amended LR 43:1427 (July 2017), LR 44:1306 (July 2018), LR 45:966 (July 2019), LR 46:991 (July 2020), LR 47:937 (July 2021), LR 48:1899 (July 2022), LR 49:1268 (July 2023), LR 50:828 (June 2024), LR 51:

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule is expected to have no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments relative to the proposed Rule until March 6, 2025 to Dr. Jeff Duguay, Wildlife Division, Department of Wildlife and Fisheries, P. O. Box 98000, Baton Rouge, LA 70898-9000 or via e-mail to jduguay@wlf.la.gov.

Brandon J. DeCuir
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Hunting Regulations for the 2025-2027 Seasons

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The various proposed rule changes have no anticipated impact on state or local governmental units.

The proposed rule changes do the following:

(1) Makes routine calendar adjustments for the 2025-2026 and 2026-2027 deer hunting seasons and date changes for the 2025-2026 seasons for light geese, white fronted geese, Canada geese, and ducks, and changes the West zone duck season from 3 segments to 2 segments.

(2) Increases the possession limit for deer in Area 4 from three per season to four per season (2 antlered and 2 antlerless deer) during the 2025-2026 season,

(3) Prohibits trail cameras on wildlife management areas (WMA),

(4) Creates a small game emphasis area within the John Franks WMA,

(5) Creates Physically Challenged Wheelchair Confined Deer Hunting Areas within the Sandy Hollow WMA and removes a Physically Challenged Wheelchair Confined Deer hunting area on Maurepas Swamp,

(6) Prohibits dogs, other than hunting dogs, in WMA camping areas,

(7) Prohibits waterfowl hunting after 2 p.m. on the Biloxi WMA,

(8) Alters the firearms deer hunting season for deer of either gender on the Attakapas WMA adding three days of deer hunting,

(9) Converts lottery hunts for waterfowl to general waterfowl hunts on the Bayou Pierre WMA,

(10) Prohibits all mud boats powered by air-cooled engines on the Biloxi WMA,

(11) Allows overnight mooring of vessels 50 feet or smaller in designated camping areas and prohibits overnight mooring of vessels 50 feet or longer on the Biloxi WMA,

(12) Prohibits bow fishing on the Biloxi WMA, limiting fishing methods to rod and reel and hook and line,

(13) Requires mandatory deer checks during primitive firearms season and removes mandatory deer checks during modern firearms either-sex weekend on the Boeuf WMA,

(14) Changes dates for mandatory deer checks on the Buckhorn WMA,

(15) Removes the two-day physically challenged wheelchair-confined deer-hunting lottery on the Floy Ward WMA,

(16) Prohibits magnet fishing and replaces mandatory deer checks with self-clearing permits on Fort Johnson-North and Fort Johnson-Vernon WMAs

(17) Prohibits the use of dogs for small game during primitive firearms season on the Grassy Lake WMA, Pomme de Terre WMA, and Richard K. Yancey WMA,

(18) Extends the length of turkey seasons in Area A, Area B, and Area C by one day in years during which Easter occurs on the first Sunday in April,

(19) Removes the daily limit for nutria taken recreationally between September 1 and the last day of February,

(20) Moves the opening of the seven-day primitive firearms deer hunting season on the Russell Sage WMA from the Monday after firearms either-sex season to the second Saturday of November,

(21) Alters the description of the area closed to all hunters other than Youth and Physically Challenged Deer hunters for two days on the Sherburne WMA and removes the disabled veterans waterfowl lottery on the WMA,

(22) Converts the turkey youth lottery to an open youth turkey hunt and alters the timing from the fourth Saturday to the third Saturday of April on the Spring Bayou WMA and closes the WMA to commercial fishing during hunting season,

(23) Clarifies regulations regarding the use of dogs on leashes to recover downed deer and rules for hunting raccoons and opossums on the Kisatchie National Forest,

(24) Inserts the list of prohibited activities on United States Army Corps of Engineers (USACE) Indian Bayou Area into Title 76,

(25) Adds one day to the first split, adds one day in the second split, and removes two days in the third split for doves in the south zone,

(26) Adds one day to the first split, adds one day in the second split, and removes two days in the third split for doves in the north zone,

(27) Moves the timing of teal season six days later and reduces the season length from 16 to 9 days,

(28) Removes seven days from the first split and adds seven days to the second split for king rails, clapper rails, Sora rails, Virginia rails, and gallinules,

(29) Removes seven days from the first split and adds seven days to the second split for snipe in the east zone and west zone,

(30) Alters the timing of the youth and veteran seasons for ducks, coots, and mergansers in the west zone and east zone,

(31) Reduces the falconry season for woodcock from 89 days to 47 days and the falconry season for rails and gallinules from 86 days to 35 days, and

(32) Allows persons 65 or older to hunt for deer with any legal weapons during primitive firearms season in each deer hunting area.

(33) Requires any person utilizing LDWF shooting ranges to comply with range rules and Range Safety officer when present

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

The proposed rule changes are expected to have no effect on revenue collections of Louisiana Department of Wildlife and Fisheries (LDWF) or other state or local governmental units.

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

The proposed rule changes are expected to have no effect on the costs or economic benefits to affected persons, small businesses or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of the proposed rule changes.

Bryan McClinton
Undersecretary
2501#044

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

Administrative Code Update

CUMULATIVE: JAN-DEC 2024

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4	I.101	Adopted	Apr.	516		XLIII.120,152,301,322,503,504,530	Amended	Aug.	1151
	VII.901, 961,963	Repealed	Apr.	498		XLV.303,405,503,505,507,743,745,747,917	Amended	May	675
	VII.903,907,917,937,943,965,967,969,975	Amended	Apr.	498		XLV.703,705,707,711,713,715,717,719,721	Repealed	May	675
	VII.918,925,982,992,995	Adopted	Apr.	498		XLV.723,727,729,731,733,735,737,739	Repealed	May	675
	VII.977,979,981,983,987,990	Amended	Apr.	498		XLV.743,745	Amended	Jan.	019
	XXI.103	Amended	Apr.	503		XCI.107	Amended	Apr.	680
	XXI.1101,1301,1303,1305,1307,1309,1311	Adopted	Apr.	503		LXI.305,501,505,509	Amended	Apr.	489
	XXI.1313,1315,1317,1319,1321,1323,1325	Adopted	Apr.	503		LXXIX.107,1309,1901	Amended	Feb.	174
	XXI.1327,1329,1331,1333,1335,1501,1503	Adopted	Apr.	503		LXXIX.119,1101,1311,1501	Amended	July	972
	XXI.1505,1507,1701,1703	Adopted	Apr.	503		LXXIX.123	Amended	Oct.	1447
	XXIII.301,303,305,307,309,311,321	Adopted	Apr.	503		LXXIX.125	Repealed	Feb.	174
	XXIII.501	Adopted	Mar.	407		LXXIX.1101	Amended	July	976
	XXIII.901,903,905,907	Adopted	Oct.	1502		LXXIX.2109,2317	Amended	Apr.	480
		Adopted	June	783		CXIII.903	Amended	Feb.	174
						CXV.337,339,915,1103,1127,1315,2305	Amended	Feb.	174
						CXV.501	Amended	Oct.	1447
						CXV.504	Repealed	Feb.	174
						CXV.511	Adopted	Feb.	174
						CXV.525	Adopted	Jan.	019
7	XXI.1513	Amended	Mar.	362		CXV.901,2319	Amended	July	971
	XXV.101	Amended	Feb.	171		CXV.1103,1105,1111	Amended	July	946
	XXV.101,107,109,117,119,123,141,147,165	Repromulgated	June	774		CXV.1123	Amended	May	681
	XXV.167	Repromulgated	June	774		CXV.2317,2318,2319,2345	Amended	Apr.	480
	XXVII.128	Amended	Dec.	1811		CXV.2367	Amended	Feb.	174
	XXXV.103,125,127	Amended	Mar.	362		CXV.3113,3703	Amended	Aug.	1148
	XXXV.125	Repromulgated	Apr.	478		CXXXI.103	Adopted	Jan.	019
	XXXV.125	Amended	Nov.	1627		CXXXI.303,507,509,511,515,519,525,527	Amended	Jan.	019
	XXXIX.901,911	Amended	Dec.	1811		CXXXI.303	Repromulgated	Feb.	173
	XXXIX.915,917,919	Adopted	Dec.	1811		CXXXI.303,503,505,507,511,513,521,528	Amended	May	659
						CXXXI.303,1901,1903,1907,1909,1911	Amended	Oct.	1447
						CXXXI.331,333,507	Amended	Apr.	487
10	XV.2001,2003,2005,2007,2009,2011,2013	Adopted	Apr.	518		CXXXI.515,553,1369	Amended	Aug.	1150
	XV.2015	Adopted	Apr.	518		CXXXI.517,705,711,1517,2101,2105,2305	Repealed	May	659
						CXXXI.529,535,537,539,541,543,545,547	Amended	May	659
17	I.101,103,105,107,111	Amended	Mar.	415		CXXXI.531,535,536,1301,1305,1307,1309	Amended	Jan.	019
	I.103,107,111,115	Amended	Mar.	410		CXXXI.548,550,1319,	Adopted	Apr.	659
						CXXXI.549,551,553,555,557,701,709,717	Amended	May	659
22	I.325	Amended	Feb.	258		CXXXI.721,723,725,1107,1109,1301,1305	Amended	May	659
	I.331	Amended	July	1000		CXXXI.1301	Repromulgated	July	974
	I.341	Amended	Nov.	1650		CXXXI.1307,1309,1313,1315,1317,1321	Amended	May	659
	III.4703	Amended	Nov.	1645		CXXXI.1311,1323,1325,1327,1329,1331	Amended	Jan.	019
	III.9101,9103,9105,9301,9303,9501,9503	Adopted	Nov.	1642		CXXXI.1323,1325,1327,1329,1331,1337	Amended	May	659
	III.9701,9703,9901,9905,9907	Adopted	Nov.	1642		CXXXI.1345,1349,1355,1359,1360,1361	Amended	May	659
	V.203,211,213	Amended	Sep.	1265		CXXXI.1365,1367,1369,1371,1503,1507	Amended	May	659
	V.204	Adopted	Sep.	1265		CXXXI.1505	Amended	July	974
	XI.301,303,307,309,501,504,510,511,513	Amended	Sep.	1267		CXXXI.1509,1519,1521,1523,1527,1529	Amended	May	659
	XI.514	Amended	Sep.	1267		CXXXI.1541,1543,1545,1703,2301,2303	Amended	May	659
	XI.601,603,605,607	Adopted	Feb.	209		CXXXI.1701,1909	Amended	Jan.	019
	XI.701,705,707,901,1101,1103,1501,1502	Amended	Sep.	1267		CXXXI.1904	Adopted	Oct.	1447
	XI.801,802,803,805,809,1301	Repealed	Sep.	1267		CXXXI.1913,1917,1919	Amended	Oct.	1447
	XIII.103,301,303,501,503	Amended	Sep.	1274		CXXXI.2501,2503	Amended	May	659
						CXXXVI.101,103,301,303,305,501,505,507	Adopted	July	954
						CXXXVI.701	Adopted	July	954
25	IX.601	Adopted	Apr.	478		CXXXIX.511	Amended	Aug.	1147
						CXXXIX.515,2103,2501,4001,4003	Amended	May	657
28	I.1501	Amended	May	681		CXXXIX.4001	Amended	July	946
	IV.301,701,703,704	Adopted	Feb.	185		CXXXIX.4003	Amended	Feb.	174
	IV.803	Amended	Feb.	185		CXXXIX.4003	Repromulgated	June	783
	IV.804	Adopted	Feb.	185		CXXXIX.4303,4321	Repromulgated	Aug.	1146
	IV.2201,2203,2205,2207,2209,2211,2213	Amended	Feb.	178		CXLVII.101	Amended	May	658
	IV.2501,2503,2505,2507,2509,2511,2513	Adopted	Feb.	183		CXLVII.101,105,301,303,305,307,309,311	Amended	July	948
	IV.2515	Adopted	Feb.	183		CXLVII.104	Adopted	May	658
	IX.701,703,705,707,709	Adopted	Sep.	1242		CXLVII.313,319,323,329,701,901	Amended	July	948
	V.101,103,111,113,115,117,121,123,125	Adopted	Apr.	490		CLIII.1501,1503,1505,1507,1509,1511	Adopted	Dec.	1813
	V.131,133,135,137,139,141,143,145,147	Adopted	Apr.	490		CLIII.1513,1515,1517,1519,1521,1523	Adopted	Dec.	1813
	V.201,203,211,213,215,217,221,223,225	Amended	Apr.	490		CLIII.1525,1527,1529,1531,1533,1535	Adopted	Dec.	1813
	V.231,233,235,237,239,241,243,245,247	Amended	Apr.	490		CLVII.303	Amended	July	976
	VI.507,509,517	Amended	Apr.	489		CLVII.305	Amended	Aug.	1148
	XI.305,3501,3503,4003	Amended	Nov.	1628		CLVII.509	Adopted	Feb.	174
	XI.405	Amended	July	948		CLVII.701	Repromulgated	July	975
	XI.709,3503	Amended	Aug.	1145		CLIX.101,103,301,303,305,501,503,505	Repealed	July	954
	XI.1700,1701,1703,1705,1707,1709,1711	Adopted	Nov.	1628		CLIX.507,509	Repealed	July	954
	XI.1713,1715,1901,1903,1905,1907,3502	Adopted	Nov.	1628		CLXI.103,709,901,903,1103,1507,1509	Amended	July	966
	XI.3509,3511,3513,3515	Adopted	Nov.	1628		CLXI.1711,1721,1804,1811,1901,1917	Amended	July	966
	XI.7311	Amended	Feb.	172		CLXV.103,309,311,313,320,507,515	Amended	July	969
	XXXV.101,103,105,107,109,111	Amended	Aug.	1152					
	XXXV.109	Amended	May	681					
	XXXIX.701	Amended	May	679	32	I.319	Amended	Dec.	1822
	XXXIX.901	Repromulgated	July	975		III.105	Amended	Oct.	1467

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	III.107,109	Amended	June	780		XL.121,319	Amended	Oct.	1466
	V.203,303,503	Amended	Oct.	1467		XXXIII.313	Amended	May	684
	V.205,207,305,307,405,505,507	Amended	June	780		XXXIII.1611	Amended	Feb.	210
	VII.101,305,701,711,721,10101	Amended	July	1101		XXXVIII.101,301,303,305,306,307,501,503	Amended	Feb.	246
33	I.2105	Amended	Jan.	032		XXXVIII.101,103,105,301,303,305,306,307	Repromulgated	July	988
	I.2201	Adopted	Apr.	496		XXXVIII.103,105,510,515	Adopted	Feb.	246
	III.506	Repealed	Jan.	031		XXXVIII.308,501,503,505,507,509,510,511	Repromulgated	July	988
	III.5151	Amended	July	976		XXXVIII.505,507,509,511,513,517	Amended	Feb.	246
	V.105,109,110,1021,1101,1107,1108,1127	Amended	Oct.	1456		XXXVIII.513,515,517	Repromulgated	July	988
	V.1113,1123,1125	Repealed	Oct.	1456		XLIX.503	Amended	May	685
	V.1301,1307,1309,1516,1531,3835,3855	Amended	Oct.	1456		XLIX.1103	Amended	Sep.	1276
	V.3857,3871,3877,3879,4105,4143,4145	Amended	Oct.	1456		XLVII.303	Amended	Apr.	524
	V.4911	Amended	Oct.	1456		XLVII.1701,1703	Amended	Apr.	524
	V.30103,30105,30117,30142,30204,30258	Amended	Sep.	1243		XLVII.3535	Amended	Dec.	1824
	V.30260,30402,30417,30418,30419,30420	Amended	Sep.	1243		XLVII.4303	Amended	Dec.	1825
	V.30452,30505	Amended	Sep.	1243		LIII.105	Amended	Aug.	1155
	VII.1001,1002,1003,1004,1005,1006,1007	Adopted	Oct.	1450		LIII.501,2901,2914	Amended	Mar.	390
	VII.1008	Adopted	Oct.	1450		LIII.901,903,905	Amended	Nov.	1646
	IX.1105,1113,1115,1117	Amended	Nov.	1637		LIII.1103,2501	Amended	Aug.	1156
	XV.430,455,493,763,1699	Amended	Dec.	1821		LIII.1107	Amended	Jan.	034
						LIII.1217,1509,2403	Amended	Dec.	1826
						LIII.2523,2747	Amended	Dec.	1827
35	I.322	Adopted	May	683		LIII.2707,2711	Amended	Sep.	1277
	III.5728	Adopted	Nov.	1645		LIII.2905	Adopted	Aug.	1155
	III.5734	Adopted	Nov.	1645		LV.101,301,303,305,307,309,311,508	Amended	Jan.	041
	III.5773	Amended	May	683		LV.101,301,309,310,312,508,901,1001	Amended	Nov.	1675
	XI.9905	Amended	May	684		LV.509	Adopted	Sep.	1295
	LXI.9905	Repromulgated	June	833		LX.307	Amended	May	685
						LX.603	Amended	Dec.	1847
37	I.307	Adopted	Aug.	1160		LX.803	Amended	Sep.	1281
	III.302	Adopted	Mar.	364		LXI.2903,2905,2913	Amended	Aug.	1160
	XI.2303,2307,2309,2313	Amended	Apr.	526		LXI.2910	Adopted	Aug.	1160
	XIII.128,131	Amended	Sep.	1281		LXX.3205	Amended	Mar.	364
	XIII.201,203,205	Amended	Mar.	409		LXXXV.103	Amended	Apr.	653
	XIII.701,703,705,707,709	Repealed	Oct.	1498		LXXXV.400,403,405,409,411,413,800,811	Amended	Aug.	1135
	XIII.1305	Amended	Oct.	1498		LXXXV.703,706,708,709,710,711,713,714	Repromulgated	Aug.	1140
	XIII.1931	Repealed	Sep.	1282		LXXXV.812,1200,1227	Amended	Aug.	1135
	XIII.2101,2103,2107,2109,2111,2113	Amended	Sep.	1282		LXXXV.901,903,905,907	Repromulgated	June	772
	XIII.5701,5703	Repealed	Dec.	1852		LXXXV.1001,1003,1005,1009,1013,1017	Repromulgated	Apr.	654
	XIII.6501	Repealed	Aug.	1159		LXXXV.1063	Amended	Nov.	1626
	XIII.6701	Repealed	Oct.	1497		LXXXV.1007,1011,1025,1039,1051,1057	Amended	Nov.	1626
	XIII.10909	Amended	Aug.	1159		LXXXV.1021,1023,1029,1031,1033,1035	Repromulgated	Apr.	654
	XIII.11701,11703,11705,11707,11709	Amended	Sep.	1284		LXXXV.1037,1041,1045,1047,1049,1053	Repromulgated	Apr.	654
	XIII.11711,11713,11715,11717,11719	Amended	Sep.	1284		LXXXV.1055,1059,1061,1065	Repromulgated	Apr.	654
	XIII.11712,11721	Adopted	Sep.	1284		LXXXV.1300,1301,1303,1305,1307	Repromulgated	June	773
	XIII.18201,18202,18203,18204,18205	Amended	Oct.	1499					
	XIII.18207	Adopted	Oct.	1499	48	I.4201,4203,4205,4207,4223,4224	Amended	Mar.	403
	XIII.19303,19305,19309	Amended	Dec.	1852		I.5603,5684	Amended	Mar.	406
	XIII.19701,19703,19707,19709,19711	Adopted	Sep.	1291		I.5690	Adopted	Mar.	406
	XIII.19901,19903,19905,19907,19909	Adopted	Oct.	1501		I.6101,6103,6105	Amended	May	688
	XIII.19911	Adopted	Oct.	1501		I.6831,6832	Amended	Mar.	391
						I.6831,6832	Repromulgated	Apr.	521
40	I.2007,2021,2113	Amended	May	692		I.7206	Adopted	Apr.	525
	I.6665,6667	Amended	June	832		I.7215,7275	Amended	Apr.	525
						I.7517,7519,7521,7523,7531,7535	Amended	Sep.	1279
42	I.1722	Adopted	Sep.	1292		I.7533	Repealed	Sep.	1279
	III.120	Amended	Feb.	263		I.8531,8591	Amended	Mar.	397
	III.501,503,505,507	Adopted	June	789		I.8531,8591	Repromulgated	Apr.	523
	III.2714	Amended	June	833		I.9301,9303,9305,9307,9309,9317,9319	Amended	Oct.	1473
						I.9303,9353	Amended	Sep.	1278
43	XI.3501	Amended	Jan.	035		I.9306,9308	Adopted	Oct.	1473
	XI.3501	Amended	Sep.	1243		I.9321,9323,9327,9329,9331,9333,9335	Amended	Oct.	1473
	XIII.101,503,507,509,513,518,1139,1705	Amended	Sep.	1243		I.9337,9343,9351,9353,9361,9365,9371	Amended	Oct.	1473
	XIII.1719,2113,2125,2137,2710,2713,2734	Amended	Sep.	1243		I.9373,9403,9413,9415,9473	Repealed	Oct.	1473
	XIII.2130,2914	Adopted	Sep.	1243		I.9377,9379,9383,9387,9393,9395,9399	Amended	Oct.	1473
	XIII.2736,2910,2911,3311,3317,3323,3327	Amended	Sep.	1243		I.9401,9405,9409,9411,9417,9419,9423	Amended	Oct.	1473
	XIII.3329,3333,3335,3341,3351	Amended	Sep.	1243		I.9429,9437,9439,9441,9443,9445,9449	Amended	Oct.	1473
	XIX.103	Amended	Jan.	036		I.9453,9457,9469,9471,9479,9483,9495	Amended	Oct.	1473
	XIX.3105	Amended	Jan.	035		I.9497,9499,9501,9511,9513,9517,9521	Amended	Oct.	1473
	XIX.3503,3507,3509,3511	Amended	Jan.	036		I.9525,9531,9535,9539,9541,9553,9555	Amended	Oct.	1473
	XVII.3801,3803,3805,3811	Adopted	May	682		I.9559,9563	Amended	Oct.	1473
						I.9575,9583,9585,9587,9589,9591,9593	Adopted	Oct.	1473
46	I.307	Amended	Aug.	1154		I.12501,12503,12505,12507,12509,12513	Amended	Feb.	221
	I.1907	Amended	Sep.	1264		I.12501,12503,12505,12507,12509,12517	Amended	July	984
	I.1907	Repromulgated	Oct.	1465		I.12508,12511,12524,12526,12535,12543	Repealed	Feb.	221
	VIII.101,102,103,104,105	Adopted	Sep.	1275		I.12510,12511,12512	Adopted	July	984
	VIII.201,202,203,204	Adopted	Dec.	1823		I.12515,12517,12519,12521,12523,12525	Amended	Feb.	221
	XI.101	Amended	Jan.	032		I.12527,12529,12531,12533,12537,12541	Amended	Feb.	221
	XI.901,903,905,907,909,911,913,915,917	Adopted	Jan.	032		I.12541,12553	Amended	July	984
	XXI.1303	Amended	Nov.	1640		I.12545,12549,12551,12553	Amended	Feb.	221
	XXI.1305	Adopted	Nov.	1641		I.12547	Repealed	Feb.	221
	XXV.103,117,315	Amended	Nov.	1647		I.12901,12903,12905,12907,12909,12911	Repealed	Aug.	1158
	XXV.329,331,333	Adopted	Nov.	1647		I.12913	Repealed	Aug.	1158
	XL.107,121,501	Amended	June	779		I.18601	Adopted	Sep.	1278
	XL.107,121,501	Amended	Sep.	1264		I.18703,18705,18708	Amended	Feb.	220

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	I.19305	Adopted	May	686		III.1801,1803	Adopted	Nov.	1670
	V.16701,16901,17101,17103,17105,17301	Amended	Feb.	240		XIII.101,103,105,109,301,501,701,705,711	Amended	Dec.	1855
	V.17302,17303,17304,17305,17306,17501	Amended	Feb.	240		XIII.107,303,503,505,703,707,709	Repealed	Dec.	1855
	V.17502,17503,17504,17701,17702,17703	Amended	Feb.	240		XV.101,103,105,109,301,501,901,903,913	Amended	Nov.	1653
	V.17704,17705	Amended	Feb.	240		XV.107,303,305,503,505,507,509,511,513	Repealed	Nov.	1653
						XV.515,701,703,705,707,905,907,909,911	Repealed	Nov.	1653
49	I.519	Amended	Mar.	407		XV.915,917	Repealed	Nov.	1653
						XV.919	Amended	Nov.	1653
50	I.1501,1503,1505	Amended	July	978		XVII.101,103,105,109,301,501,901,903,913	Amended	Nov.	1667
	I.1507,1509,1511,1513,1515,1517,1519	Adopted	July	978		XVII.919	Amended	Nov.	1667
	I.3113	Amended	Nov.	1649		XVII.107,303,305,307,503,505,507,509,511	Repealed	Nov.	1667
	II.10123,20001	Amended	Feb.	219		XVII.513,515,701,703,705,707,905,907,909	Repealed	Nov.	1667
	III.941	Adopted	Feb.	216		XVII.904	Adopted	Nov.	1667
	V.121,123,125,127	Adopted	July	977		XVII.911,915,917	Repealed	Nov.	1667
	V.1301,1303	Amended	Mar.	396					
	V.2201,2203	Adopted	Aug.	1156	58	V.2101,2103	Adopted	June	780
	V.2503	Amended	Mar.	393		XVIII.1901,1903,1905,1907	Adopted	Apr.	517
	V.2721	Adopted	Mar.	393					
	V.7701,7703	Adopted	Aug.	1157	61	I.1001	Amended	Mar.	418
	VII.33103	Amended	Mar.	398		I.1001,1302	Amended	Dec.	1859
	XI.7503	Amended	Mar.	392		I.1312	Adopted	Nov.	1673
	XIII.801	Amended	Feb.	215		I.1931	Adopted	Jan.	038
	XV.12907,12909,12917,12919,12921	Amended	Dec.	1844		I.1933	Adopted	Oct.	1502
	XV.12923	Amended	Dec.	1844		I.1402	Adopted	May	691
	XXI.501,503,505,515,519,521,525,527,529	Amended	Dec.	1839		I.4919	Amended	Sep.	1293
	XXI.531,533,537,543,545,547,551,553	Amended	Dec.	1839		I.5101	Amended	Nov.	1671
	XXI.555	Adopted	Dec.	1839		I.5107,5109,5111,5113,5115	Adopted	Nov.	1671
	XXI.2101,2103,2301,2703,2901	Amended	Mar.	394		I.5501	Adopted	Mar.	420
	XXI.2903	Adopted	Mar.	394		III.201,203,205	Adopted	Mar.	421
	XXI.5301,5503,5701,5703,5705,5707,5709	Amended	Feb.	211		III.1525	Amended	Dec.	1858
	XXI.5701,5725,5901	Amended	Dec.	1843		III.1549,1550	Adopted	Sep.	1292
	XXI.5713,5715,5717,5721,5901,5903,6101	Amended	Feb.	211		III.2503	Amended	Jan.	037
	XXI.5723,5725	Adopted	Feb.	211		V.304,701,703,705,905,907,1001,1007	Amended	Mar.	365
	XXI.8101,8103,8105,8302,8305,8307,8309	Amended	June	784		V.1103	Amended	Mar.	365
	XXI.8313,8323,8329,8501,8601,8701,8901	Amended	June	784		V.1307,1503,2503,2717,3101,3103,3105	Amended	Mar.	365
	XXI.8903,9301,9303,9501	Amended	June	784		V.3102	Repealed	Mar.	365
	XXI.16101,16103,16106,16107,16109	Amended	Dec.	1828		V.3106,3107	Amended	Mar.	365
	XXI.16301,16303,16305,16307,16309	Amended	Dec.	1828					
	XXI.16311,16313,16319,16321,16323	Amended	Dec.	1828	67	V.1103	Amended	July	946
	XXI.16325,16327,16329,16333,16335	Amended	Dec.	1828		V.1103	Repromulgated	Aug.	1144
	XXI.16337,16343,16345,16501,16701	Amended	Dec.	1828		V.6956	Adopted	Oct.	1446
	XXI.16347,16349	Adopted	Dec.	1828		V.7108,7311	Amended	Oct.	1446
	XXI.16703,16901,16903	Amended	Dec.	1828		V.7316	Adopted	Oct.	1446
	XXIII.101,103,105,301,303,305,307,501	Amended	Mar.	399		V.7507	Repealed	Oct.	1446
	XXIII.505	Amended	Mar.	399					
	XXIII.701,703,705,707,711,901,903,1101	Amended	Mar.	399	71	III.2501,2503,2505,2507	Adopted	Mar.	421
	XXVII.325,327,331,351,353,355	Amended	Feb.	216					
	XXVII.501,503,505,517,523,705,707	Amended	Oct.	1471	72	I.201,203,205,207,209,215	Adopted	Sep.	1294
	XXVII.531	Amended	Feb.	218					
	XXIX.105	Amended	Oct.	1470	76	I.101,103,105	Adopted	Apr.	527
	XXIX.107	Amended	July	978		V.131	Amended	July	1079
	XXIX.111	Amended	Dec.	1847		VII.114,116	Amended	Oct.	1504
	XXIX.991	Amended	Nov.	1649		VII.207	Adopted	May	691
	XXXIII.2301,2303,6103,6301,6303,6305	Amended	July	983		VII.307	Amended	June	830
	XXXIII.6307,6501	Amended	July	983		VII.363	Amended	June	831
	XXXIII.8103	Amended	Feb.	211		VII.367	Amended	Jan.	038
						VII.367	Amended	Dec.	1860
52	I.1703	Amended	Aug.	1162		VII.389	Adopted	Oct.	1505
						XIX.101,103,111,113,115,117	Amended	June	790
55	III.143,144,145,146,147,150,151,152,154	Amended	July	1003		XIX.109	Adopted	July	1012
	III.148,149	Repealed	July	1003		XIX.113	Amended	Mar.	422
	III.155,156,157,185,187	Amended	July	1003		XIX.119	Adopted	June	789
	III.1401,1403,1405,1407,1409,1411,1413	Adopted	Dec.	1853					
	III.1415,1417,1419	Adopted	Dec.	1853					

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Department of Energy and Natural Resources Office of Conservation

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Aegis Energy, Inc.	Lake Rosemond	L	Dart-Franklin	002	213283 (Flowline)
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	003	28307
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	011	28576
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	015	29704
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	032	37799
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	034	38770
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	037	40051
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	051	43987
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	055	45492
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	060	47354
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	061	47614
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	063	48021

Operator	Field	District	Well Name	Well Number	Serial Number
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	065	48225
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	069	49301
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	070	49982
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc Swd	085	55112
American Natural Energy Corp	Bayou Couba	L	Waterford Oil Co	001	56712
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	091	63196
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	093	63982
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	094	64666
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	092	65309
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	095	65310
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	096	66725
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	099	69352
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	100	70134
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	107	107281

Operator	Field	District	Well Name	Well Number	Serial Number
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	108	107282
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	109	107323
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	110	107815
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	111	108222
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	109D	108647
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	111D	109441
American Natural Energy Corp	Bayou Couba	L	Waterford Oil Co	001D	114452
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	112	115146
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	112D	116629
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	113	120055
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	115	122066
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	118	124223
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	119	124502
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	120	129752
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	121	129753
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	122	129754

Operator	Field	District	Well Name	Well Number	Serial Number
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	123	133621
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	124	135648
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	125	135871
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	126	135895
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	128	136793
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	154	136794
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc A	130	138411
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	132	138891
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	133	140064
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	127	142607
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	134	153593
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	135	153594
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	137	155760
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	138	155761
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	139	155929

Operator	Field	District	Well Name	Well Number	Serial Number
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	140	155930
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	141	162959
American Natural Energy Corp	Bayou Couba	L	Waterford Oil Co	002	165206
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	143	228140
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	145	228544
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	149	228897
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	148	229744
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	152	245470
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	155	252220
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	156	252221
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	157	252282
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	160	252300
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	155-D	252330
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	156-D	252331
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	157-D	252332

Operator	Field	District	Well Name	Well Number	Serial Number
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	160-D	252333
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	161	252351
American Natural Energy Corp	Bayou Couba	L	Delta Sec Co Inc	161-D	252352
Big Sky Operating Companies, Inc.	Bayou Choctaw, Nw	L	E B Schwing A	001	139433
Big Sky Operating Companies, Inc.	Bayou Choctaw, Nw	L	Nwbcht Bm Ra Su;E B Schwing A	001D	140720
Big Sky Operating Companies, Inc.	Bayou Choctaw, Nw	L	J H Schwing Swd	002	156697
Big Sky Operating Companies, Inc.	Bayou Choctaw, Nw	L	Nwbcht Mt Ra Su;E B Schwing A	003	176345
Big Sky Operating Companies, Inc.	Bayou Choctaw, Nw	L	Nwbcht Mt Ra Su;E B Schwing A	004	221560
Bison Energy Partners, Llc	Intracoastal City	L	Operc 1-2 Ra Sua;Exxonmobil A	001	228882
Bison Energy Partners, Llc	Intracoastal City	L	Sl 16995	001-D	229486
Bison Energy Partners, Llc	Intracoastal City	L	Vua;Sl 16995	002	230531
Bison Energy Partners, Llc	Intracoastal City	L	Vua;Sl 16995	003	231777
Bison Energy Partners, Llc	Intracoastal City	L	Vua;Sl 16995	003-D	232537
Bison Energy Partners, Llc	Intracoastal City	L	Sl 16995 Swd	004	236553
Cap Production	Caddo Pine Island	S	Muslow B	001	38239

Operator	Field	District	Well Name	Well Number	Serial Number
Cap Production	Caddo Pine Island	S	Muslow B	002	39116
Cap Production	Caddo Pine Island	S	Mrs Eva L Chappell Et Al	001	58966
Cap Production	Caddo Pine Island	S	Lula H Barkham Et Al	001	58967
Cap Production	Caddo Pine Island	S	Lula H Barkham Et Al	002	61518
Cap Production	Caddo Pine Island	S	Mrs Eva L Chappell Et Al	002	61519
Cap Production	Caddo Pine Island	S	Muslow A	001	152942
Cap Production	Caddo Pine Island	S	Muslow	002	161752
Cap Production	Caddo Pine Island	S	Muslow	003	177199
Cap Production	Caddo Pine Island	S	Muslow	004	182496
Cap Production	Caddo Pine Island	S	Pxy Rb Sun;Caddo Levee Board	002	189652
Cap Production	Caddo Pine Island	S	Muslow Swd	001	971176
Dudley C. Beene	Caddo Pine Island	S	La State	001	53395 (Casing Stub)
Eddy Enterprises, Inc.	Red River-Bull Bayou	S	Brown Heirs	002	184075
Franks & Petrofunds, Inc.	Mount Olive	M	H'ville Ra Sug; R Hightower	001	152847 (Casing Stub)
Goers, Inc.	Big Creek	M	M Ratcliff	001	162971 (Casing Stub)
Henderson Oil Production	Caddo Pine Island	S	Spell	015	58044
Henderson Oil Production	Caddo Pine Island	S	Spell B	001	143600

Operator	Field	District	Well Name	Well Number	Serial Number
Henderson Oil Production	Caddo Pine Island	S	Spell B	002	145031
Henderson Oil Production	Caddo Pine Island	S	Graves	001	186105
Henderson Oil Production	Caddo Pine Island	S	Graves	002	186106
Henderson Oil Production	Caddo Pine Island	S	Graves Swd	003	247703
Henderson Oil Production	Caddo Pine Island	S	Spell	006	990100
Houston Oil & Minerals Corp.	Calcasieu Pass	L	Stine Ra Sua; S L 2497	001	65552 (Casing Stub)
J. P. Boyter, Et Al	Caddo Pine Island	S	Thigpen-Harold	005	53931 (Casing Stub)
Linder Oil Co. A Partnership	Calcasieu Pass	L	Sd Ra Sua; S1 13736	001	212625 (Casing Stub)
Maybrier Production, L.L.C.	Tepetate, North	L	K B Smith	009	182435 (Trash & Debris)
Maybrier Production, L.L.C.	Tepetate	L	Dallas Ortego	001	71049 (Trash & Debris)
Maybrier Production, L.L.C.	Tepetate	L	Dallas Ortego	007	193754 (Trash & Debris)
Maybrier Production, L.L.C.	Tepetate	L	Dallas Ortego	006	185430 (Trash & Debris)
Maybrier Production, L.L.C.	Tepetate	L	Dallas Ortego	012	206714 (Trash & Debris)
Maybrier Production, L.L.C.	Tepetate	L	Dallas Ortego	004	77534 (Trash & Debris)
Maybrier Production, L.L.C.	Tepetate	L	Dallas Ortego	002	72177 (Trash & Debris)

Operator	Field	District	Well Name	Well Number	Serial Number
Maybrier Production, L.L.C.	Tepetate	L	Dallas Ortego	010	204011 (Trash & Debris)
Maybrier Production, L.L.C.	Tepetate	L	R J St Germain Jr Et Al	003	215786 (Trash & Debris)
Oliver Distribution Company LLC	Monroe	M	Union Producing	014	151529
Oliver Distribution Company LLC	Monroe	M	Union Producing	001	151530
Oliver Distribution Company LLC	Monroe	M	Union Producing	004	151533
Oliver Distribution Company LLC	Monroe	M	Union Producing	005	151630
P. R. Rutherford	Wildcat-So La Houma Dist	L	Robert Cox	001	109027 (Casing Stub)
Plymouth Resources Group Li Inc	Welsh	L	Farmers Oil Co Fee	001	102007

Operator	Field	District	Well Name	Well Number	Serial Number
Plymouth Resources Group Li Inc	Welsh	L	Cam 2 Suu;Farmers Fee	003	103583
Plymouth Resources Group Li Inc	Welsh	L	Marg H 1 Suq;Wmd Lee Fee A	008	107474
Plymouth Resources Group Li Inc	Welsh	L	Wmd Lee Fee A	008D	108379
Plymouth Resources Group Li Inc	Welsh	L	Cam 4 Suo;Farmers Oil Co	001-D	108920
Plymouth Resources Group Li Inc	Welsh	L	Empire Land	005	217298
Plymouth Resources Group Li Inc	Welsh	L	Cib J Ra Sua;Empire Land	005-D	217558
Southwest Operating Inc.	Greenwood-Waskom	S	Woolf	001	54490
Southwest Operating Inc.	Bee Brake, North	M	Quinn Nb A	001	165520
Southwest Operating Inc.	Haynesville, East	S	U Ha Ra Suq;T S Sale	001	204662

Steven M. Giambrone
Interim Commissioner

2501#022

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**Office of the Governor
Division of Administration
Office of Group Benefits**

**Notice of Public Hearing
Request for Comments on Rulemaking**

The Office of Group Benefits (OGB) provides notice that it is conducting the public hearing required by R.S. 49:964(B). The public hearing will be held on February 24, 2025 at 1 p.m. Central Time in the Iowa Room, 1-153, First Floor of the Claiborne Building, 1201 N. Third Street, Baton Rouge, Louisiana 70802.

In accordance with the law, this hearing provides an opportunity to receive public comments as to whether any of the OGB's rules are contrary to law, outdated, unnecessary, overly complex, or burdensome. All interested persons will be afforded an opportunity to submit data, views, or arguments either orally or in writing regarding the OGB's rules only. OGB will consider all written and oral comments.

For submission to the legislative oversight committees, comments must be received in writing. Written comments may be submitted at the hearing or to Margaret A. Collier, P.O. Box 44036, Baton Rouge, LA 70804 or via fax (225) 342-9917. The deadline for receipt of written comments is Tuesday, February 11, 2025 at 4:30 p.m.

If you have a disability and require an accommodation to participate in the hearings, please contact Christina Cardona via email at Christina.Cardona@la.gov or by telephone at (225) 342-6060 to discuss your accessibility needs.

Heath Williams
Chief Executive Officer

2501#021

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Department of Health
Office of Public Health

Public Hearing—Substantive Changes to Proposed Rule;
Regulation of Medical Marijuana
(LAC 51:XXIX.101, Chapter 5, Chapter 7, 901,
Chapter 23, and Chapter 25)

A Notice of Intent concerning the above-referenced
proposed Rule was originally published by the Louisiana
Department of Health on October 20, 2024 in the Louisiana
Register (see LR 50:1573-1580). Written comments were
invited, received, and considered. Certain of those comments
suggested substantive changes. In consideration of such
comments, the department proposes to amend several
provisions of the proposed Rule by deleting the requirement
for licenses for marijuana manufacturing in §501.A to be
nontransferable; by adding Paragraph B.9 to §2103 to
provide for other dosage forms that may be approved by the
department through policymaking in the future; by changing
the language in §2503.A.3 to remove the requirement for
card-access locks on secure areas and by adding
Subparagraphs 2503.A.3.a , 2503.A.3.b, and 2503.A.3.c to
allow for access to secure areas by non-authorized personnel
when accompanied by authorized personnel; by deleting the
term “home” in §2505.A and by changing the term “home”
to “current” in §2507.B to allow for deliveries to patients at
sites other than their home addresses; by adding a new
§2505.E to address the requirement that dispensaries enter
new patient information into the Louisiana Medical
Marijuana Tracking System database in a timely fashion; by
changing the language in §2507.B.1.d to only require the
authorized clinician to restrict dosage forms if a patient’s
condition suggests one or more contraindications; by
changing the language in §2507.B.1.e to specify an
expiration date on recommendations of 36 months; by
changing the language in §2507.B.1.f to remove the
reference to a directory the Louisiana State Board of
Medical Examiners does not maintain; by deleting
§2507.B.3 restricting the number of dispensaries a patient
may utilize for obtaining marijuana and renumbering
§2507.B.4 as 2507.B.3; by deleting language in §2507.F
referring to a quantity on the recommendation; by changing
the term” dispensing” to “fulfillment” in Subparagraph
2507.H.4 in recognition of the fact that dispensaries can fill
“pre-orders”; and by changing the language in §2509.B to
indicate that dispensaries must return all marijuana waste
products to the manufacturer-of-origin for proper disposal.
Accordingly, the department proposes to amend the
proposed Rule as follows.

Title 51

PUBLIC HEALTH—SANITARY CODE

Part XXIX. Medical Marijuana

Subpart 1. Marijuana Manufacturers

Chapter 1. General Requirements

§101. Definitions

A. ...

Permittee—Repealed.

Therapeutic Marijuana—see Medical Marijuana.

AUTHORITY NOTE: Promulgated in accordance with R.S.
40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of
Health, Office of Public Health, LR 48:2976 (December 2022),
amended, LR 51:

Chapter 5. Licensure
§503. Permitting

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S.
40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of
Health, Office of Public Health, LR 48:2976 (December 2022),
repealed LR 51:

§505. Application Process

A. - B.6. ...

7. Repealed.

8. ...

C. - C.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.
40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of
Health, Office of Public Health, LR 48:2976 (December 2022),
amended LR 51:

Chapter 7. Inspections and Operational
Requirements

§701. Inspections

A. Licensed facilities require a preoperational or initial
inspection and this shall follow review and acceptance of the
plans required in §505. Inspections are designed to ensure
the following:

1. - 9. ...

B. As a condition of its license, the licensee shall allow
the surgeon general or his/her designee(s) to review all
records relevant to the operations and management of the
licensed facility.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.
40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of
Health, Office of Public Health, LR 48:2976 (December 2022),
amended, LR 51:

§703. Product and Site Security

A. Licensed facilities shall maintain an onsite security
system that includes, at a minimum, the following
components:

A.1. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.
40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana
Department of Health, Office of Public Health, LR 48:2976
(December 2022), amended, LR 51:

§705. Louisiana Medical Marijuana Tracking System

A. Licensed facilities shall possess and maintain required
hardware and software to connect to the Louisiana Medical
Marijuana Tracking System (LMMTS).

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.
40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of
Health, Office of Public Health, LR 48:2976 (December 2022),
amended, LR 51:

§707. Inventory Control

A. Licensed facilities shall maintain an inventory of
medical marijuana, including medical marijuana waste, on

their premises and update these records no less frequently than once per week.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended, LR 51:

§709. Toxic Chemical Use and Storage

A. Licensed facilities shall handle and store any chemicals for direct or indirect contact with medical marijuana in accordance with its written operations plan and the manufacturer's directions.

B. - D.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended, LR 51:

§711. Transportation of Medical Marijuana

A. Licensed facilities shall generate an inventory manifest prior to transporting any medical marijuana to a licensed marijuana pharmacy, laboratory, contractor or disposal site. The manifest shall include the following items:

A.1. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended, LR 51:

§715. Basic Facility Requirements

A. Licensed facilities shall provide finishes to floors, walls, and ceilings that are durable, light in color, and easily cleanable.

B. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended, LR 51:

Chapter 9. Approved Laboratories for Testing Medical Marijuana

§901. General Requirements

A. Licensed facilities shall only utilize approved laboratories, as defined in this Section, for testing of medical marijuana.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended, LR 51:

Subpart 2. Marijuana Dispensaries

Chapter 21. General Requirements

§2103. Marijuana Product Requirements

A. - B.6. ...

7. suppositories;
8. metered-dose inhalers; or
9. other forms approved by the department.

C. - D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

Chapter 23. Permits

§2305. Renewal, Suspension, and Revocation

A. - B. ...

C. Permits that are not renewed by December 31 are subject to suspension until such time as the proper packet has been submitted, reviewed, and accepted by LDH.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

Chapter 25. Inspections and Operational Requirements

§2501. Inspections

A. Permitted facilities are required to be inspected at least once annually. Inspections are intended to verify compliance with the provisions of this Subpart, including §2511.

B. As a condition of its permit, the permittee shall allow the surgeon general or his/her designee(s) to review all records relevant to the operations and management of the permitted facility.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2503. Product and Site Security

A. - A.2. ...

3. restricted-access areas denoted by suitable signage and secured by means of secured-access locks where marijuana products are held and dispensed. Access to areas where marijuana inventory is stored and orders are dispensed shall meet the following requirements:

- a. be restricted to authorized personnel and not allowed to the general public;
- b. be secured by suitable physical barriers and monitored by the facility's security system;
- c. be inaccessible to any non-employee unless that person remains under the constant supervision of an employee authorized to be in the secure area.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2505. Inventory Control and Required POS (Point-of-Sale) System

A. - D. ...

E. Dispensary staff must enter information into the LMMTS for new patients within 24 hours of receipt of a recommendation from an authorized clinician. The patient profile information provided must include the following elements:

1. unique patient identification number that will attach to all relevant records;
2. status of the recommendation (active or inactive);
3. recommendation start date; and
4. data on purchase limits or restrictions other than those referenced in Subsection C. above, if applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2507. Deliveries, Dispensing and Labeling/Packaging Requirements

A. - B.2.c.

d. if applicable, a list of any dosage forms of marijuana that may be contraindicated by the patient’s debilitating condition or co-morbidities;

e. date of recommendation and an expiration date 36 months from the former date; and

f. self-certification that the authorized clinician is in good standing with the relevant licensing board as specified in R.S. 40:1046(B). For nurse practitioners, the self-certification shall affirmatively state that the recommender has prescriptive authority conferred by the State Board of Nursing.

3. Repealed.

4. The dispensary shall provide laboratory test results for any marijuana product available for dispensing to the patient upon request.

C. - E. ...

F. Repealed.

G. Dispensaries may utilize a recommendation issued by an authorized clinician to supply a patient on multiple occasions with marijuana products, provided that the dispensing is consistent with the requirements of §2505.C and that the dispensing does not exceed the legal limit or consist of a dosage form not specified under §2103.B of this Subpart.

H. Provided that no marijuana product is dispensed to an out-of-state address, dispensary staff may provide marijuana products to a visiting qualifying patient in compliance with the provisions of this Section and R.S. 40:1046.1. A dispensary shall retain all documents required by R.S. 40:1046.1(C)(2) for at least three years.

I. No marijuana product may be dispensed by the dispensary unless it bears a label including the following information:

- 1. the name, address, and telephone number of the dispensing firm;
- 2. the name of the authorized clinician recommending the product;
- 3. the name of the patient;
- 4. date of fulfillment;
- 5. - 9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

§2509. Disposal of Marijuana Product Waste

A. ...

B. Waste products must be returned to the manufacturer to be disposed of by means of the following processes:

- 1. - 3. ...

C. Dispensary personnel must document every disposal activity in the facility’s POS system, including the identifying characteristics of the waste, the quantity of waste, and the method of its disposal.

D. Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 51:

Public Hearing

As such changes may be considered substantive by parties affected by the proposed Rule, notice is hereby given in accordance with the Administrative Procedure Act, specifically R.S. 49:968(H)(2), that a public hearing on the substantive changes will be held by the department on February 25, 2025 at 9 a.m. in Room 173 of the Bienville Building at 628 N. Fourth Street, Baton Rouge, LA 70802. All interested persons are invited to submit written comments concerning the proposed substantive changes to Tiffany Meche, Director, Bureau of Sanitarian Services, Bin Number 10, Box Number 9, P.O. Box 4489, Baton Rouge, LA 70821-4489. Written comments will be accepted until 4 pm, February 25, 2025.

Dr. Ralph Abraham
Surgeon General
and
Michael Harrington, MBA, MA
Secretary

2501#048

POTPOURRI

**Department of Insurance
Office of the Commissioner**

Public Hearing—Substantive Changes to Proposed Rule; Regulation 131—Plan for Nonrenewal or Cancellation of Homeowners Policies in Effect and Renewed for More Than Three Years (LAC 37:XIII.Chapter 202)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., published a Notice of Intent to promulgate its Rule, Regulation 131, in the September 20, 2024, LAC 37, Chapter 202 of the *Louisiana Register*. The Department of Insurance proposes the following changes: to amend Section 20207 by amending the definition of *Homeowners Insurance* by deleting the reference to manufactured homes or mobile homes, by deleting the word means in the definition of *Insured*, and by adding a definition of *Not In The Public Interest*. Section 20209 A.2. was amended to require the submission of data and not the submission of a geographic map. Finally, Section 20209 B. was amended to add a reference to the Uniform Trade Secret Act. Since these are substantive changes, the Department of Insurance is giving the public an opportunity for a hearing as published in this Potpourri.

**Title 37
INSURANCE**

Part XIII. Regulations

Chapter 202. Regulation Number 131— Plan for Nonrenewal or Cancellation of Homeowners Policies in Effect and Renewed for More Than Three Years

§20207. Definitions

A. As used in Regulation 131, these terms shall have the following meaning ascribed herein unless the context clearly indicates otherwise.

Commissioner—the Louisiana Commissioner of Insurance.

Department—the Louisiana Department of Insurance.

Homeowners Insurance—a policy of insurance on a one- or two-family owner-occupied premises, which combines fire and allied lines with any one or more perils of casualty, liability, or other types of insurance within one policy form at a single premium, where the insurer's liability for damage to the premises under said policy is determined with reference to the replacement value of the premises.

Homeowners Policies—shall mean for purposes of this regulation, policies of homeowners insurance that have been in effect for more than three years on or before August 1, 2024.

Nonrenewal or Cancellation Date—the termination date of an insured's policy of homeowners insurance.

Insured—customers owning homeowners policies as provided for in R.S. 22:1265.

Insurer—any insurer that provides property, casualty, and liability insurance in the state of Louisiana.

Not In The Public Interest—means the imposition of a plan to cancel or nonrenew up to 5 percent of homeowners policies that has an outsized impact on a specific coastal geographic area, zip code, or parish.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, 22:1265, Act 2024, No. 9 of the Regular Session of the Louisiana Legislature, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:

§20209. Plan for Nonrenewal or Cancellation

A. - A.1 ...

2. data submitted through a LDI portal or link to such data by parish representing each proposed parish and zip code affected by the nonrenewal or cancellation, along with the deductible amount. The data shall pinpoint all proposed homeowners policies to be nonrenewed or cancelled and demonstrate compliance with the requirement that no more than 5 percent of the insurer's homeowners policies in force in any one parish that is subject to the "3 year rule" and a listing of those homeowners policies that may be nonrenewed or cancelled;

A.3. - A.10. ...

B. Any business plan, documentation or information filed pursuant to Regulation 131 shall be considered proprietary or trade secret pursuant to the provisions of R.S. 44:3.2 and the Uniform Trade Secrets Act pursuant to Chapter 13-A of Title 51 of the Louisiana Revised Statutes of 1950 shall be applicable to any business plan, documentation or information.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, 22:1265, Act 2024, No. 9 of the Regular Session of the Louisiana Legislature, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:

Public Hearing

A public hearing on the proposed substantive changes will be held by the Louisiana Department of Insurance on February 21, 2025 at 10 a.m. in the Poydras Hearing Room, Poydras Building, 1702 North Third Street, Baton Rouge,

LA. Interested persons who wish to make comments may do so at the public hearing or by writing to Claire Lemoine, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214. Comments will be accepted no later than February 21, 2025 by close of business, 4:30 p.m. Interested persons who wish to make comments may do so by writing to Claire Lemoine, Attorney Supervisor, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, or by faxing comments to (225) 342-1632, or electronically at regulations@ldi.la.gov.

Timothy J. Temple
Commissioner

2501#023

POTPOURRI

**Workforce Commission
Office of Workers' Compensation Administration**

Mileage Reimbursement Limits

Pursuant to R.S. 23:1203(D), and based on the statewide mileage reimbursement as determined by the Louisiana Department of Administration, the following limits shall apply to workers' compensation's mileage reimbursement effective January 1, 2025.

Mileage Reimbursement
\$0.70 (cents) per mile

Date	Mileage
2001 – 2002	\$0.30
2002 – 2003	\$0.32
2003 – 2004	\$0.32
2004 – 2005	\$0.34
2005 – 2006	\$0.36
2006 – 2007	\$0.40
2007 – 2008	\$0.44
2008 – 2009	\$0.52
07/01/2009 to 12/20/2009	\$0.52
12/21/2009 to 06/30/2010	\$0.48
2010 – 2011	\$0.48
2011 – 2012	\$0.51
2012 – 2013	\$0.51
2013 – 2014	\$0.51
2014 – 2015	\$0.51
2015 - 2016	\$0.51
2016 – 2017	\$0.51
2017 – 2018	\$0.53
2018 – 2019	\$0.54
07/01/2019 to 12/31/2019	\$0.58
01/01/2020 to 06/30/2020	\$0.575
07/01/2020 to 12/31/2020	\$0.57
01/01/2021 to 06/30/2021	\$0.56
07/01/2021 to 01/09/2022	\$0.56
01/10/2022 to 6/30/2022	\$0.58
07/01/2022 to 09/30/2022	\$0.62
10/01/2022 to 12/31/2022	\$0.625
01/01/2023 to 12/31/2023	\$0.655
01/01/2024 to 12/31/2024	\$0.67

Brian Blackwood
Assistant Secretary

2501#064

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