

February 2020

Economic Impact Statements for Proposed Rules

The corresponding proposed rule to each of the statements below may be viewed in its entirety in the February 20, 2020 *Louisiana Register*. Each *Louisiana Register* edition is published on the 20th of each month and can be viewed here: <https://www.doa.la.gov/Pages/osr/reg/regs2020.aspx>

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Department of Economic Development	Louisiana Entertainment Development Fund	Private institutions of higher education and customized training providers may benefit from additional revenues should they choose to participate in the LED grant program. The cost to these entities may include the cost of some additional planning and paperwork requirements associated with the application process, reports, and invoices for reimbursement. Those Louisiana businesses, including small businesses (mainly non-profit entities or entertainment trade union organizations) in the entertainment industry will benefit from better trained and more productive employees. Louisiana residents will benefit from enhanced employment opportunities in the Louisiana entertainment industry.
Department of Environmental Quality	LPDES Application and Program Requirements	There will be no significant costs and/or economic benefits to directly affected persons or non-governmental groups from the proposed rule. This rule mirrors an already promulgated federal rule.
Board of Embalmers and Funeral Directors	Embalmers and Funeral Directors	The proposed rule changes will benefit heirs of a deceased funeral establishment owner, as they provide a pathway for them to operate a funeral establishment after the owner's passing. Such heirs would have to seek an interim ownership change and remit the one-time \$500 inspection fee and \$1,000 fee for a license to operate, but may realize economic benefits associated with operating the funeral establishment. Lastly, making the \$100 internship application fee non-refundable is not anticipated to affect persons seeking internships, as applicants rarely seek refunds.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Department of Health	Medical Transportation Program Non-Emergency Medical Transportation	This proposed rule continues the provisions of the December 27, 2019 Emergency Rule which amended the provisions governing provider enrollment in the non-emergency medical transportation (NEMT) program in order to lower the minimum liability insurance coverage requirements and reduce insurance premiums paid by NEMT providers, and to remove language referring to the prepayment of premiums to align with current practices. This proposed Rule will sustain current NEMT provider enrollment and ensure that recipients have continued access to necessary medical services. This proposed Rule is not anticipated to increase provider participation or level of services in the NEMT program. NEMT providers will benefit from the reduction in insurance premiums which will have a positive impact on small businesses. It is anticipated that implementation of this proposed Rule will not result in any increase or decrease in payments to NEMT providers in FY 19-20, FY 20-21, and FY 21-22.
Department of Health	Nursing Facilities Optional State Assessment	This proposed rule amends the provisions governing nursing facility reimbursements, in compliance with U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) requirements, in order to mandate the use of the optional state assessment item set to replace Medicare prospective payment system assessments retired by CMS due to the implementation of the patient driven payment model. Implementation of this proposed Rule will be beneficial to nursing facility providers by ensuring that the Resource Utilization Groups-III (RUG III) based Medicaid reimbursement system can continue to operate the same after the Medicare payment changes are effective. This proposed Rule will have no impact on small businesses. It is anticipated that implementation of this proposed rule will not result in costs to nursing facilities in FY 19-20, FY 20-21 and FY 21-22.
Department of Insurance	Regulation 82—Insure Louisiana Incentive Program	The proposed rule changes will not result in any costs or benefits to directly affected persons or non-governmental groups. The Insure Louisiana Incentive Program is no longer an active program due to its repeal during the 2009 legislative session; therefore, the guidelines set forth in Regulation 82 are no longer applicable for this purpose.
Liquefied Petroleum Gas Commission	Rulemaking Petitions	The proposed rule is not expected to create costs or economic benefits for directly affected persons or non-governmental groups.
Department of Public Safety and Corrections	Rulemaking Petitions	The proposed rule is not expected to create costs or economic benefits for directly affected persons or non-governmental groups.
Office of State Police	Breath and Blood Alcohol Analysis Methods and Techniques	It is anticipated that implementation of this proposed rule will not have economic cost or benefits to directly affected persons or non-governmental groups for FY 19-20, FY 20-21, and FY 21-22.
Office of the State Fire Marshal	Rulemaking Petitions	The proposed rule is not expected to create costs or economic benefits for directly affected persons or non-governmental groups.
Office of State Police	Rulemaking Petitions	The proposed rule is not expected to create costs or economic benefits for directly affected persons or non-governmental groups.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Oil Spill Coordinator's Office	Rulemaking Petitions	The proposed rule is not expected to create costs or economic benefits for directly affected persons or non-governmental groups.
Board of Trustees of the Teachers' Retirement System of Louisiana	Deferred Retirement Option Plan (DROP), Computation of Final Average Compensation	Implementation of the proposed changes will allow retirees to delay receiving required minimum distributions from their retirement account by a year and half, which may result in the retiree having a lower income tax liability during that period.
Emergency Response Network Board	Stroke Center Recognition	There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups. The rule updates the requirements for a facility to receive recognition as a stroke center. Participation in this recognition is voluntary, and no hospital is required to participate.