

# CONTENTS

## I. EXECUTIVE ORDERS

|   |      |
|---|------|
| DCT 81-11—Continue Thrift Industry Advisory Council .....     | 57 ✓ |
| DCT 82-1—Committee on Alcoholism and Drug Abuse created ..... | 57 ✓ |
| DCT 82-2—Task Force on Drinking and Driving created .....     | 57 ✓ |

## II. EMERGENCY RULES

### Education Department:

|  |    |
|--|----|
| Educational Employees Professional Improvement Program—Guidelines for committees ..... | 58 |
|--|----|

### Health and Human Resources Department:

|  |      |
|--|------|
| Office of Family Security—Payment for abortions .....                              | 58 ✓ |
| Refugee and Cuban/Haitian eligibility .....  | 58 ✓ |
| Title XIX increase for personal care .....   | 58 ✓ |
| Office of Licensing and Regulation—Section 1122, Capital Expenditures Review ..... | 59 ✓ |

### Wildlife and Fisheries Department:

|   |    |
|---|----|
| Wildlife and Fisheries Commission—Netting prohibited in Black and Clear Lakes ..... | 59 |
|---|----|

## III. RULES

### Agriculture Department:

|   |    |
|---|----|
| Agriculture and Environmental Sciences—Apiary regulations ..... | 59 |
| Livestock Sanitary Board—Animal disease .....                   | 60 |

### Commerce Department:

|   |    |
|---|----|
| Office of Financial Institutions—Cashier's checks ..... | 61 |
| Loans to one borrower .....                             | 61 |
| Nationwide lending .....                                | 61 |
| Remote Service Units .....                              | 62 |
| Racing Commission—Claiming horses .....                 | 63 |
| Employee licensing .....                                | 63 |
| Use of whips .....                                      | 63 |

### Education Department:

|  |    |
|--|----|
| Board of Elementary and Secondary Education—Minimum standards, pupil appraisal revisions, others ..... | 63 |
|--|----|

### Governor's Office:

|  |    |
|--|----|
| Commission on Law Enforcement and Administration of Criminal Justice—Grant-in-aid program restrictions ..... | 63 |
|--|----|

### Health and Human Resources Department:

|   |      |
|---|------|
| Board of Examiners for Nursing Home Administrators—Rules adopted .....              | 64 ✓ |
| Board of Nursing—Standards for educational programs .....                           | 65 ✓ |
| Board of Practical Nurse Examiners—Amendments to administrative rules .....         | 65 ✓ |
| Board of Veterinary Medicine—Fees and examinations .....                            | 65 ✓ |
| Office of Family Security—Cuban/Haitian entrants program .....                      | 66 ✓ |
| Drugs deleted from Medical Assistance Program .....                                 | 67 ✓ |
| Food stamp requirements .....   | 75 ✓ |
| Increase in several programs .....  | 75 ✓ |
| Limit payment for testing .....   | 75 ✓ |
| Low income energy assistance .....  | 76 ✓ |
| Outpatient service reimbursement .....  | 76 ✓ |
| Office of Health Services and Environmental Quality—Oyster harvesting closure ..... | 76 ✓ |

This public document was published at a cost of \$2.88 per copy, by Baton Rouge Printing Co., Inc., P. O. Box 97, Baton Rouge, La. as a service to the state agencies in keeping them cognizant of the new rules and regulations under the authority of R.S. 49:951-968. This material was printed in accordance with the standards for printing by state agencies established pursuant to R.S. 43:31. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes.

|   |      |
|---|------|
| Office of Human Development—Client placement program eligibility .....                | 76 ✓ |
| Cuban/Haitian entrants program .....  | 66 ✓ |
| Shelter care facility funding .....   | 76 ✓ |
| Office of the Secretary—Community Residential Development Fund guidelines .....       | 77 ✓ |
| Natural Resources Department:   |      |
| Office of Conservation—Amendment to Order No. 29-B, underground injection wells ..... | 79   |
| Committee Report .....  | 82   |
| Order No. 29-N-1, underground injection wells .....                                   | 83   |
| Office of Environmental Affairs—Committee Report .....                                | 100  |
| Opacity standards changed .....   | 100  |
| Revenue and Taxation Department:  |      |
| Petroleum, Beverage and Tobacco Tax Section—Special Fuels Tax regulations .....       | 101  |
| Tax Commission—Assessment of real and personal property .....                         | 102  |
| Wildlife and Fisheries Department:  |      |
| Wildlife and Fisheries Commission—Hunter Safety training on WMAs .....                | 102  |

#### IV. NOTICES OF INTENT

|   |       |
|---|-------|
| Commerce Department:  |       |
| Cemetery Board—Rules .....  | 103   |
| Office of Financial Institutions—Balloon and reverse annuity mortgages .....        | 103   |
| Education Department:   |       |
| Board of Elementary and Secondary Education—Second grade skills test .....          | 105   |
| Educational Employees Professional Improvement Program—Bulletin 1619 .....          | 105   |
| Governor's Office:  |       |
| Division of Administration—Property Control regulations .....                       | 106 ✓ |
| Office of Elderly Affairs—Policy manual .....                                       | 106 ✓ |
| Health and Human Resources Department:  |       |
| Board of Examiners of Psychologists—Ethics violations .....                         | 107 ✓ |
| Passing score on written examination .....  | 110 ✓ |
| Board of Veterinary Medicine—Certification and fees .....                           | 110 ✓ |
| Office of Family Security—Billing for independent laboratories .....                | 111 ✓ |
| MAP implementation of several programs .....  | 111 ✓ |
| Office of Licensing and Regulation—Section 1122, Capital Expenditure Review .....   | 112 ✓ |
| Natural Resources Department:   |       |
| Office of Conservation—Enable Commissioner to gather information .....              | 115   |
| Public Safety Department:   |       |
| Office of State Fire Marshal—Fire retardant mattress specifications .....           | 116   |
| Inspection requirements .....   | 119   |
| Transportation and Development Department:  |       |
| Office of the Undersecretary—Purchasing regulations .....                           | 120   |
| Soil and Water Conservation Committee—Increase pollworker pay .....                 | 124   |
| Wildlife and Fisheries Department:  |       |
| Wildlife and Fisheries Commission—Netting prohibited in Black and Clear Lakes ..... | 125   |
| Reaccepting oyster lease applications .....   | 126   |
| Shrimp seasons inside waters .....  | 126   |

#### V. POTPOURRI

|  |     |
|--|-----|
| Agriculture Department:  |     |
| State Entomologist—Sweet potato weevil quarantine .....            | 127 |
| Natural Resources Department:                                      |     |
| Fishermen's Gear Compensation Fund—Claims .....                    | 127 |
| Public Safety Department:  |     |
| Municipal Police Officers Supplemental Pay—Meeting scheduled ..... | 129 |
| Revenue and Taxation Department:                                   |     |
| Tax Commission—Hearing scheduled .....                             | 129 |

#### VI. ERRATA

|   |     |
|---|-----|
| Public Safety Department:   |     |
| Office of State Fire Marshal—Fireworks rule numbers corrected ..... | 129 |

# Executive Orders

## EXECUTIVE ORDER DCT 81-11

WHEREAS, the Governor's Thrift Industry Advisory Council was created by the authority of Executive Order 81-6; and

WHEREAS, it is within the best interest of the people of our state, our state chartered savings and loan associations, their employees, and customers to assure that the state's thrift industry remains strong and vital;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State Of Louisiana, by virtue of the authority invested in me as Governor, pursuant to the Constitution and applicable statutes of the State of Louisiana, do hereby direct the Governor's Thrift Industry Advisory Council to study problems of the thrift industry in the State of Louisiana and to make recommendations to the Commissioner of Financial Institutions.

Said Council shall be composed of six members rather than five as stipulated in Executive Order No. 81-6. Three of those members shall be appointed from the area composed of the First, Second, and Third Congressional Districts of the State. Two members shall be appointed from the area composed of the Fourth, Fifth and Seventh Congressional Districts. One member shall be appointed from the area composed of the Sixth and Eighth Congressional Districts.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 28th day of December, A.D., 1981.

David C. Treen  
Governor of Louisiana

## EXECUTIVE ORDER DCT 82-1

WHEREAS, alcoholism and drug abuse are major problems in Louisiana as well as the entire United States; and

WHEREAS, alcoholism and drug abuse costs the taxpayers of this state millions of dollars in treatment, law enforcement and rehabilitation; and

WHEREAS, there are many programs dealing with the problems, both on the state and local levels of government; and

WHEREAS, there is a need to study these programs in order to provide the best services at the most economical level of funding; and

WHEREAS, during the 1980 Regular Session of the Legislature, legislation was enacted to encourage the Governor to appoint a special committee on alcoholism and drug abuse to study problems related to alcohol and drug abuse, the extent of such problems, treatment, rehabilitation, necessary education, research, law enforcement, prevention, physical and mental ailments caused by such abuse; and

WHEREAS, it is in the best interests of the people of our State to undertake this worthy pursuit;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me as Governor, pursuant to the Constitution and applicable statutes of the State of Louisiana, do hereby create the Governor's Committee on Alcoholism and Drug Abuse, whose duties shall be to study problems related to alcohol and drug abuse, the extent of such

problems, treatment, rehabilitation, necessary education, research, law enforcement, prevention, and the physical and mental ailments caused by such abuse.

BE IT FURTHER RESOLVED, that the Governor shall designate a chairman of such committee.

BE IT FURTHER RESOLVED, that the committee shall meet at the discretion of its members and shall be reimbursed for actual expenses incurred in attending meetings of the committee in accordance with appropriate statutes.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 8th day of January, A.D., 1982.

David C. Treen  
Governor of Louisiana

## EXECUTIVE ORDER DCT 82-2

WHEREAS, The problem of alcohol-related automobile accidents has become a problem of national proportions; and

WHEREAS, Annually some 26,000 Americans will die and 750,000 will suffer crippling and other serious injuries from alcohol-related automobile accidents; and

WHEREAS, In Louisiana in 1981 an estimated 500 fatalities, 40,000 injured persons and approximately 80,000 accidents were alcohol related, making Louisiana second in the nation in alcohol-related fatalities; and

WHEREAS, The problems of drunk driving have an economic cost running into the billions of dollars annually; and

WHEREAS, Drunk driving is the nation's number one highway safety problem;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me as Governor, pursuant to the Constitution and applicable statutes of the State of Louisiana, do hereby create the Governor's Task Force on Drinking and Driving to study the facts surrounding this problem and to make specific recommendations for legislation to combat this problem.

Said Task Force shall be composed of 15 members: A member of the Louisiana House of Representatives; a member of the Louisiana State Senate; a judge; one representative from the following: Attorney General's Office, State Police, Sheriff's Association, District Attorney's Association, Medical Association, the insurance community, labor and industry, Alcoholics Anonymous, Highway Safety Commission, the Governor's Commission on Alcoholism and Drug Abuse, and two members at large.

The Commission shall meet and make recommendations to the Governor prior to the 1982 Regular Session of the Louisiana Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 25th day of January, A.D., 1982.

David C. Treen  
Governor of Louisiana

# Emergency Rules

## DECLARATION OF EMERGENCY

### Department of Education Educational Employees Professional Improvement Program

The State Committee for the Louisiana Educational Employees Professional Improvement Program (R.S. 17:3601-R.S. 17:3661) at its January 19, 1982 meeting exercised those powers conferred by the emergency provisions of the Administrative Procedure Act, R.S. 49:953B, and adopted the following emergency rule:

Dr. Helen Brown moved that the Committee adopt Bulletin 1619 (Revised 1982) and instruct the staff to promulgate the Guidelines for local committees in keeping with the Administrative Procedure Act, R.S. 49:952, et. seq., and also instruct the staff to advise the Governor, the Attorney General, and the Department of the State Register that under the provisions of Louisiana Revised Statutes 49:953B that these guidelines were being adopted on an emergency basis. The committee is of the opinion that if the guidelines are not adopted on an emergency basis, there will be a significant risk that expected participants and members of local committees will not be cognizant of the necessary criteria involved in both the implementation and the administration of the program for the second year prior to the enrollment period, March 1 through March 31, 1982. Ms. Gloria Walker seconded, and the motion passed with eight yeas and zero nays.

Robert C. Rice, Chairman  
State Committee for the Louisiana  
Educational Employees Professional  
Improvement Program.

## DECLARATION OF EMERGENCY

### Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B, to amend, effective March 2, 1982, the policy for payment for abortions under Title XIX, Medicaid, as follows:

Payment will be made to the attending physician for abortions only when the physician has found and certified in writing to the Office of Family Security, Medical Assistance Program, that on the basis of his professional judgement, the life of the mother would be endangered if the fetus were carried to term.

This reduction in service will bring the Medical Assistance Program into full compliance with the conditions for which Federal Financial Participation is available for abortions pursuant to Public Law 97-92. Under this legislation, Federal funds are no longer available for abortions for victims of rape and incest. Earlier compliance was delayed pending the resolution of an injunction granted November 27, 1978, which enjoined the Department of Health and Human Resources from enforcement of R.S. 40:1299.35 (now R.S. 40:1299.34.5) which limited abortions to those medically necessary to prevent the death of the mother.

George A. Fischer  
Secretary

## DECLARATION OF EMERGENCY

### Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, does hereby exercise the emergency provision of the Administrative Procedure Act (R.S. 49:953B) to adopt, effective April 1, 1982, a rule which reduces the period of eligibility of refugees and Cuban/Haitian entrants certified for cash and medical assistance in the Refugee Resettlement Program (RRP) and Cuban/Haitian Entrants Program, to 18 months from the date of entry into the United States.

Thus, any refugees and Cuban/Haitian entrants certified in the Refugee Resettlement Program or Cuban/Haitian Entrants Program who have been in the United States for 18 months or longer on or after April 1, 1982 will no longer be eligible for cash and medical assistance. These recipients are currently eligible for assistance for a period of 36 months from the date of entry into the United States.

Refugees and Cuban/Haitian entrants who meet the eligibility requirements of Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI) and Medicaid would not be affected by this proposed policy change and would continue to be eligible for such assistance for 36 months from the date of entry into the United States.

This proposed rule change is in response to a notification from the Office of Refugee Resettlement which advised that the implementation date of February 1, 1982 contained in the Notice of Proposed Rulemaking published in the December 11, 1981 issue of the Federal Register (Vol. 46, No. 238, pages 60629 - 60633) has been changed to April 1, 1982.

George A. Fischer  
Secretary

## DECLARATION OF EMERGENCY

### Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has exercised those powers conferred by the emergency provision of the Administrative Procedure Act, R.S. 49:953B, to adopt the following as an emergency rule:

Effective March 1, 1982, the personal care needs allowance for those Title XIX Medical Assistance recipients in the OAA (Aged), ANB (Blind), and DA (Disabled) categories residing in Intermediate Care Facilities I, Intermediate Care Facilities II, Skilled Nursing Facilities, and Intermediate Care Facilities for the Mentally Retarded, will be increased from \$25 to \$50 per month.

An optional state supplementation payment up to \$25 per month will be made to recipients with gross income below \$50 per month. Recipients with monthly income equal to or greater than \$50 will be allowed to retain \$50 for personal care needs.

This action has been taken in order to make the increased personal expenses allowance available to the recipients at the earliest possible date. Senate Concurrent Resolution No. 133 of the 1980 Regular Session of the Legislature authorized this increase and funds were subsequently appropriated in the 1981 Regular Session of the Legislature.

George A. Fischer  
Secretary

**DECLARATION OF EMERGENCY**

**Department of Health and Human Resources  
Office of Licensing and Regulation**

The Department of Health and Human Resources, Office of Licensing and Regulation, does hereby exercise the emergency provision of the Administrative Procedure Act (R.S. 49:953 B) to adopt, effective January 22, 1982 the following policies and guidelines for Section 1122, Capital Expenditures Review in those regions where the HSAs are no longer performing review functions. These policies and guidelines are adopted in accordance with the mandate of 42 CFR Part 100.106 (a)(1)(38 FR 31381, November 1973 as amended at 39 FR 32030, September 4, 1974).

Until such time as the North Louisiana Health Systems Agency ceases to review Section 1122 applications for capital expenditures the following procedure shall apply. The applicant shall provide three copies of the application for capital expenditures to the Division of Health Planning and Development and 25 copies to Mr. Herb Darling, Executive Director, North Louisiana Health Systems Agency, 1600 Fairfield, Suite 400, Shreveport, LA 71101.

The North Louisiana Health Systems Agency will review the application at a public meeting of an appropriate committee. Notice of the meeting will be publicized in the local newspaper. In addition, the applicant will be given sufficient notice of the date of the meeting and will be invited to attend to explain his application. The review committee will make its recommendations to the Board of Directors or Executive Committee which body shall make the final decision of the HSA and send its findings and recommendations to DHPD.

For complete policies and guidelines, please turn to the Notice of Intent on page 112 of the Register.

George A. Fischer  
Secretary

**DECLARATION OF EMERGENCY**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

RESOLUTION ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN NEW ORLEANS, JANUARY 26, 1982.

WHEREAS, following the failure of Allen Dam in Natchitoches Parish, the Northwest Game and Fish Preserve Commission passed a resolution barring commercial net fishing on Black and Clear Lakes for calendar year 1982, and

WHEREAS, the Northwest Game and Fish Preserve Commission has since requested the Louisiana Department of Wildlife and Fisheries to take appropriate action in order to enforce this resolution, and

WHEREAS, as a result of the Allen Dam collapse, Black and Clear Lakes are undergoing a drastic drawdown which has reduced their water acreage from 14,000 acres to 3,000 acres, thus creating a severe concentration of fish populations which would be detrimentally affected by netting in this particular situation.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby prohibits the use of netting in Black and Clear Lakes, Natchitoches Parish, for the remainder of calendar year, 1982.

Jesse J. Guidry  
Secretary

**Rules**

**RULE**

**Department of Agriculture  
Agriculture and Environmental Sciences**

The Commissioner of Agriculture, pursuant to the authority contained in LSA 3:2302 and in accordance with Notice of Intent published on January 20, 1982, has adopted the following amendments to the Rules and Regulations governing the Apiary Program:

Rule 1.13 was amended to read as follows:

Combless Package Cage - Any container used in shipping bees without comb or foundation

Rule 1.18 was amended to read as follows:

Quarantined Area - A yard in which American Foulbrood infection has been found, and all that area within a yard or apiary, or any area defined as a quarantined area by the State Entomologist because of excessive disease (above four percent) found present in bees within the area or because restricted articles were moved into the area from a quarantined area

Rule 1.20, reading as follows, was added:

Super - A standard 10 frame hive body (all depths)

Rule 1.21, reading as follows, was added:

Frame - a wooden or plastic case for holding honeycomb

Rule 4.1 was amended to read as follows:

Agents of the Department are authorized and shall be allowed entrance onto any property or premises in the State of Louisiana for the purpose of carrying out the provisions of these regulations. Whenever reasonably possible, agents shall notify beekeeper before performing any inspections.

Rule 4.3, reading as follows, was added:

All hives shall have removable tops and frames for inspection purposes.

Rule 6.2 was amended to read as follows:

Colonies of bees and/or used or second-hand beekeeping equipment, as defined in Rule 1.19 or in Rule 8.0 of these regulations shall not be sold within the State of Louisiana or to destinations outside the State of Louisiana unless accompanied by a special permit issued by the State Entomologist. Any apiarist wishing to sell colonies of bees and/or used or second-hand beekeeping equipment may secure the required special permit by contacting the Baton Rouge or District Office(s) of the State Entomologist.

Rule 7.2 was amended to read as follows:

Package permits and certificate permits shall not be issued to cover the shipment or movement of package bees and/or queens from an area that has been quarantined on account of American Foulbrood infection until it has been determined that the American Foulbrood infection has been destroyed. If an apiary or yard of bees has four percent or less American Foulbrood infestation, as noted below, the infected colony(ies) shall be burned immediately and no quarantine imposed; however, a second inspection shall be made within 21-30 days to insure control of the disease. Where a second inspection is required, colonies shall not be moved except by special permission of the State Entomologist.

| Colonies in apiary or yard | AFB Infected Colony |
|----------------------------|---------------------|
| 1-25                       | 1                   |
| 26-50                      | 2                   |
| 51-75                      | 3                   |
| 75 or more                 | 4                   |

If over four percent of the colonies, but not more than four colonies, in an apiary or yard are found to be infested with American Foulbrood, the colonies shall be burned immediately and the apiary or yard shall be placed under a 21-30 day quarantine, during which time no drugs will be allowed to be fed to the bees. If after 21-30 days an inspection shows that the apiary or yard is found free from American Foulbrood infestation, the quarantine shall be lifted. However, if American Foulbrood is again found, an additional 21-30 day quarantine period shall be enforced and infested colonies shall be burned immediately. An additional 60-day quarantine shall be enforced on any quarantined apiary or yard found to be treated with drugs to mask the infection.

Rule 9.1 was amended to read as follows:

All colonies of bees infested with American Foulbrood shall be destroyed by burning the frames, bees and combs in the presence of or by an inspector.

Rule 11.0 was subdivided into three Rules and amended to read as follows:

Rule 11.1 Restricted articles shipped or moved into Louisiana in violation of these regulations shall be destroyed in accordance with LSA 3:2301-2308.

Rule 11.2 Any person who violates any of the provisions of R.S. 3:2301-2308 or any provision of these Rules and Regulations shall be fined not less than \$10 nor more than \$100, or imprisoned for not less than ten days nor more than one month.

Rule 11.3 A penalty shall be assessed for each separate violation of the Law or these Rules and Regulations.

Bob Odom  
Commissioner

## **RULE**

### **Department of Agriculture Livestock Sanitary Board**

The State Department of Agriculture, Livestock Sanitary Board, in accordance with the authority contained in LSA 3:2095 and pursuant to Notices of Intent published on December 20, 1981, and January 20, 1982, adopted the following amendments to its Rules and Regulations at a public hearing on February 4, 1982:

Subsection (2) of Paragraph 2 of Regulation 1 was amended to read as follows:

All intact male and female calves over 12 months of age moving into the State of Louisiana from Class B and Class C states must have a permit for entry prior to coming into Louisiana. These test eligible cattle must be quarantined and retested 45 to 120 days after movement into Louisiana.

The following are exempt from this requirement:

A) Individually identified, officially calf vaccinated females under 20 months of age for dairy breeds and under 24 months of age for beef breeds which are not preparturient (springers) or postparturient, and the herd of origin is not known to be infected with brucellosis.

B) Individually identified cattle originating from a certified brucellosis free herd or certified Brucellosis Free Area and moving directly to a Louisiana farm. The certified herd number must be recorded on the health certificate.

C) Cattle accompanied by a waybill to a recognized slaughter establishment for immediate slaughter only or to an approved livestock auction market for sale for immediate slaughter, for sale to quarantined feedlots, or for sale to a Louisiana farm where they would be quarantined and retested within 45 to 120 days.

D) Steers and spayed heifers.

Subsection (3) of Paragraph 2 of Regulation 1 was amended to read as follows:

(3) Bulls under 12 months of age are eligible to move into Louisiana without brucellosis restrictions provided the herd of origin is not known to be infected with brucellosis.

Subsection E of Section 9 of Regulation 3 was amended to read as follows:

Auction operators will be in violation of Livestock Sanitary Board regulations if livestock that is to be sold for immediate slaughter is sold to anyone other than authorized buyers.

Subparagraph (a) under "Exceptions" in Subsection A of Section 13 of Regulation 3 was amended to read as follows:

Horses consigned and/or sold for immediate slaughter shall be sold to authorized buyers only. Such animals shall be branded with the letter "S" on the left shoulder prior to leaving the auction market and shall be accompanied by VS 1-27 to an approved slaughtering establishment.

A new Section 5 of Regulation 28, reading as follows, was adopted:

Section 5 - Buyers Authorized to Handle EIA Positive and "S" Branded Horses

1. Definitions

A. "Authorized buyer" means (a) an employee of an USDA approved slaughtering establishment who buys horses that move from the auction market directly to the slaughtering establishment with no period of time spent in a holding area of any kind; or (b) a buyer who has a permit issued by the Livestock Sanitary Board to operate a quarantine holding area for EIA positive and "S" branded horses.

B. "Buyer" means any individual, partnership, corporation, or association which handles EIA positive and/or "S" branded horses.

C. "Permit" means a document issued by the Livestock Sanitary Board on an annual basis authorizing a buyer to handle EIA positive and/or "S" branded horses in a quarantine holding area.

D. "Quarantine holding area" means an area where EIA positive and/or "S" branded horses are kept and where such horses are separated by at least 440 yards from all other horses.

2. Requirements for Permit for Operation of Quarantine Holding Area

A. Any buyer desiring to operate a quarantine holding area must file an application for approval of the facility on forms to be provided by the Livestock Sanitary Board.

B. The facility to be operated as a quarantined holding area must meet the requirements of the definition in Section 5.1.D above.

C. The facility must be approved by the Livestock Sanitary Board in an inspection of the premises prior to the issuance of the permit.

D. The buyer desiring to operate a quarantine holding area must agree in writing to comply with the Rules and Regulations of the Livestock Sanitary Board and to permit inspection of the premises at any reasonable time by the Board.

E. No other horses except horses consigned for slaughter may be kept in a quarantine holding area.

F. No horses can be kept in the quarantine holding area for longer than 60 days.

G. All permits must be renewed annually.

Bob Odom  
Commissioner

## **RULE**

### **Department of Commerce Office of Financial Institutions**

Under authority granted by LRS 6:902B, the Commissioner of Financial Institutions has adopted the following rule for the purpose of providing a means by which state chartered savings and loan associations may have authority consistent with that granted Federal associations by an opinion of the General Counsel Federal Home Loan Bank Board, subject Cashier's Checks Authority, dated July 29, 1981.

## **RULE**

State chartered Savings and Loan Associations may offer "Cashier's Checks", to aid in effecting withdrawals and for other purposes associated with the institution's normal business.

Hunter O. Wagner, Jr.  
Commissioner of Financial Institutions

## **RULE**

### **Department of Commerce Office of Financial Institutions**

Under authority granted by R.S. 6:902B, the Commissioner of Financial Institutions has adopted the following rule for the purpose of providing a means by which state chartered savings and loan associations may have authority consistent with that granted federal associations by Federal Home Loan Bank Insurance Regulation 563.9-3, published in the Federal Register, Volume 45, Page 76103, on November 18, 1980.

## **RULE**

Notwithstanding the limitations outlined in LRS 6:822B(1), state chartered savings and loan associations may lend to one borrower a maximum of 10 percent of such institution's withdrawable accounts or an amount equal to such institution's net worth, whichever is less; or an amount not exceeding \$200,000, and beginning on January 1, 1982, and annually thereafter, such amount adjusted by the dollar amount that reflects the percentage increase, if any, in the Consumer Price Index during the previous 12 months as shown in the November to November index.

For the information and guidance of state chartered savings and loan associations, Insurance Regulation 563.9-3 is outlined below.

#### **§563.9-3 Loans to one borrower.**

(a) Definition of terms. For the purpose of this section the term "one borrower" means (1) any person or entity that is, or that upon the making of a loan will become, obligor on a loan, (2) nominees of such obligor, (3) all persons, trusts, partnerships, syndicates, and corporations of which such obligor is a nominee or a beneficiary, partner, member, or record or beneficial stockholder owning 10 percent or more of the capital stock, and (4) if such obligor is a trust, partnership, syndicate, or corporation, all trusts, partnerships, syndicates, and corporations of which any beneficiary, partner, member, or record or beneficial stockholder owning 10 percent or more of the capital stock, is also a beneficiary, partner, member, or record or beneficial stockholder owning 10 percent or more of the capital stock of such obligor; and the term "total balances of all outstanding loans" means the original amounts loaned by an insured institution plus any additional advances and interest due and unpaid, less repayments and participating interests and exclusive of any loan on the security of such institutions savings accounts or real estate the title to which has been conveyed to a bona fide purchaser of such real estate.

(b) Limitations. No insured institution shall have outstanding any loan to one borrower, as defined in paragraph (a) of this section, if the sum of (1) the amount of such loan and (2) the total balances of all outstanding loans owed to such institution and its service corporation affiliates by such borrower exceed an amount equal to 10 percent of such institution's withdrawable accounts or an amount equal to such institution's net worth whichever amount is less: Provided, that, notwithstanding any other limitation of this sentence, any such loan may be made if the loan is secured by a lien on low-rent housing, or if the sum of sub-paragraphs (1) and (2) of this paragraph (b) does not exceed \$200,000.00 and, beginning on January 1, 1982, and annually thereafter, such amount adjusted by the dollar amount that reflects the percentage increase, if any, in the Consumer Price Index during the previous 12 months as shown in the November-to-November index.

(c) Determination by institution; maintenance of records. If an insured institution or service corporation affiliate thereof makes a loan to any one borrower, as defined in paragraph (a) of this section, in an amount which, when added to the total balances of all outstanding loans owed to such institution and its service corporation affiliates by such borrower, exceeds \$250,000 or 2 percent of the net worth of such institution, whichever is greater, but in all cases where such outstanding loans exceed 1,000,000, the records of such institution or its service corporation affiliate with respect to such loan shall include documentation showing that such loan was made within the limitations of paragraph (b) of this section; for the purpose of such documentation such institution or service corporation affiliate may require, and may accept in good faith, a certification by the borrower identifying the persons, entities, and interests described in the definition of one borrower in paragraph (a) of this section.

Hunter O. Wagner, Jr.  
Commissioner of Financial Institutions

## **RULE**

### **Department of Commerce Office of Financial Institutions**

Under authority granted by R.S. 6:902B, the Commissioner of Financial Institutions has adopted the following rule for the purpose of providing a means by which state chartered savings and loan associations may have authority consistent with that granted Federal associations by Federal Home Loan Bank Board Rules and Regulations 563.9(a) and 563.9(b) revised November 17, 1980 and Bank Regulation 80-700 dated November 10, 1980, published in the Federal Register, Volume 45, page 76095 on November 18, 1980.

## **RULE**

Notwithstanding any limitations set forth by LRS 6:701(13); LRS 6:731 H (2)(a) or LRS 6:831, state chartered savings and loan associations are hereby authorized to deal in loans originated from sources other than savings and loan associations or other federally insured or federally guaranteed institutions and participate in nationwide lending as outlined in Federal Home Loan Bank Board Regulation 563.9, which was published in Volume 45, page 76095, of the Federal Register dated November 18, 1980.

For the information and guidance of state chartered associations, the Federal Home Loan Bank Board Regulation, as amended, is outlined below.

## 563.9 NATIONWIDE LENDING

(a) An insured institution may invest in, sell, purchase, participate or otherwise deal in loans or interests therein on security property located outside its normal lending territory but within the United States or its territories and possessions.

(b) An institution investing in a nationwide loan shall obtain a signed report of appraisal of the real estate security for the loan, prepared by an appraiser having no interest, direct or indirect, in that security or in any loan on that security and whose compensation is not affected by the approval or declining of the loan.

Hunter O. Wagner, Jr.  
Commissioner of Financial Institutions

### RULE

#### Department of Commerce Office of Financial Institutions

Under authority granted by LRS 6:902B, the Commissioner of Financial Institutions has adopted the following rule for the purpose of providing a means by which State Chartered Savings and Loan Associations may have authority consistent with that granted Federal associations by Federal Home Loan Bank Regulations 545.4-2, which was published in Volume 46, page 24531, of the Federal Register dated May 1, 1981, and an amendment thereto published in Volume 46, page 41763, of the Federal Register dated August 18, 1981.

### RULE

Notwithstanding any limitations imposed by Chapter 9, Title 6, Louisiana Revised Statutes, state chartered savings and loan associations are hereby authorized to establish or use RSUs and participate with others in RSU operations, on an unrestricted geographic basis as authorized by Federal Home Loan Bank Regulation 545.4-2. For the information and guidance of state chartered associations, the Federal Home Loan Bank Board Regulations is outlined below. The words "Commissioner" and "State Chartered Associations" are substituted for the words "Board" and "Federal Associations" wherever used in the Federal regulation.

#### 545.4-2 - Remote Service Units (RSUs)

(a) Applicability of Regulation E. Transactions made under this Section are subject to the Electronic Fund Transfer Act (15 U.S.C. §1693 et seq.) and Regulation E of the Federal Reserve Board (12 CFR §205.2).

(b) Definitions. As used in this section - (1) "Commissioner" means the Commissioner of Financial Institutions, State of Louisiana.

(2) "Generic data" means statistical information which does not identify any individual accountholder.

(3) "Personal security identifier" (PSI) means any word, number, or other security identifier essential for an accountholder to gain access to an account.

(4) "Remote service unit" (RSU) means an information processing device, including associated equipment, structures and systems, by which information relating to financial services rendered to the public is stored and transmitted, instantaneously or otherwise, to a financial institution. Any such device not on the premises of a state chartered association that, for activation and

account access, requires use of a machine-readable instrument and PSI in the possession and control of an accountholder, is an RSU. The term includes, without limitation, point of sale terminals, merchant-operated terminals, cash-dispensing machines, and automated teller machines. It excludes automated teller machines on the premises of a state chartered association, unless shared with other financial institutions. An RSU is not a branch, satellite, or other type of facility or agency of a state chartered association under §545.14 et seq. of this Part.

(5) "RSU account" means a savings or loan account that may be accessed through use of an RSU.

(6) "State Chartered Association" means a savings and loan or homestead association chartered under the laws of the State of Louisiana.

(c) General. A state chartered association may establish or use RSUs and participate with others in RSU operations, on an unrestricted geographic basis. No RSU may be used to open a savings account or establish a loan account.

(d) RSU access techniques. A state chartered association shall provide a PSI to each accountholder and require its use when accessing an RSU; it may not employ RSU access techniques that require the accountholder to disclose a PSI to another person. The association must inform each accountholder that the PSI is for security purposes and shall not be disclosed to third parties. Any device used to activate an RSU shall bear the words "Not Transferable" or their equivalent. A passbook may not be such a device.

(e) Service charges. A state chartered association may impose service charges for RSU financial services.

(f) Privacy of account data. A state chartered association shall allow accountholders to obtain any information concerning their RSU accounts. Except for generic data or data necessary to identify a transaction, no state chartered association may disclose account data to third parties, other than the Commissioner or his representatives, unless express written consent of the accountholder is given, or applicable law requires. Information disclosed to the Commissioner will be kept in a manner to ensure compliance with the Privacy Act, 5 V.C. §522(a). A state chartered association may operate an RSU according to an agreement with a third party or share computer systems, communications facilities, or services of another financial institution only if such third party or institution agrees to abide by this Section as to information concerning RSU accounts in the state chartered association.

(g) Bonding. A state chartered association shall take all steps necessary to protect its interest in financial services processed at each RSU, including obtaining available fidelity, forgery, and other appropriate insurance.

(h) Security. A state chartered association shall protect electronic data against fraudulent alterations or disclosure. All RSUs shall meet the minimum security devices requirements of Part 563a of this Chapter as though such units were offices as defined in §563a.1 of said Part, except to the extent that an association satisfies the Commissioner that those requirements are inappropriate. In such a case, alternative measures satisfactory to the Commissioner must be taken for installation, maintenance and operation of security devices and procedures, reasonable in cost, to discourage robberies, burglaries, larcenies, and computer theft and to assist in identification and apprehension of persons who commit such acts.

(i) Commissioner. A state chartered association may share an RSU controlled by an institution not subject to examination by a regulatory agency only if such institution has agreed in writing that the RSU is subject to such examination by the Commissioner as it deems necessary.

Hunter O. Wagner, Jr.  
Commissioner of Financial Institutions.



## RULE

### Department of Commerce Racing Commission

The Louisiana State Racing Commission, at its meeting held January 22, 1982 formally adopted the following rule:  
LAC 11-6:45.1

45.1 In claiming races any horse is subject to being claimed for its entered price by any racing interest recognized by the Commission, by any licensed horse owner, or his authorized agent, but only for the account of the person making the claim, or for whom the claim was made by the agent (provided; however, that no person shall claim his own horse or a horse in which he has an interest or cause his horse to be claimed directly or indirectly for his own account.)

J. Melton Garrett  
Chairman

## RULE

### Department of Commerce Racing Commission

The Louisiana State Racing Commission, at its meeting held January 22, 1982 formally adopted the following rule:  
LAC 11-6:14.17

"Mutual and miscellaneous employees of an Association shall be licensed, but shall not be assessed any fees or other charges for the license. (A miscellaneous employee is defined as a person employed at a race track by a concessionaire and/or a person who is a member of a bona fide trade and/or labor union who is employed at a race track by a Racing Association.) All other persons who work at a race track in any capacity not specifically provided for in RS 4:169 (a) shall be licensed and charged an occupational fee of \$2.00.

J. Melton Garrett  
Chairman

## RULE

### Department of Commerce Racing Commission

The Louisiana State Racing Commission, at its meeting held January 22, 1982 formally adopted the following rule:  
LAC 11-6:20.24

20.24 Riders will not be permitted to use whips on two-year olds prior to March 15.

J. Melton Garrett  
Chairman

## RULES

### Board of Elementary and Secondary Education

Rule 3.01.08

The Board approved for final adoption, Curriculum Standards mandated by Act 750 (R.S., 1979) as presented by the Department.

Rule 3.01.08(a)

The Board approved for final adoption, Minimum Standards for Mathematics, Reading and Writing.

Rule 3.01.51.dd

The Board adopted an amendment to Bulletin 741, Page 36, Early College Admissions Policy to add: "Applies only to high school students attending college full time" for clarification purposes.

Rule 7.02.04(1)

The Board adopted Revisions to Bulletin 1508, *Pupil Appraisal Handbook*, Pages 36, 37, 75 and 48.

James V. Soileau  
Executive Director

## RULES

### Office of the Governor Commission on Law Enforcement and Administration of Criminal Justice State Grant-In-Aid Program Program Restrictions

1. All grants must be approved by the Louisiana Commission on Law Enforcement (LCLE).

2. No traffic-related grants will be eligible.

3. Local criminal justice agencies are the only eligible grantees (including private non-profit agencies involved in juvenile delinquency prevention or other specific crime problems). State agencies are ineligible for participation.

4. All projects shall be eligible for a maximum of one year funding.

5. Indirect costs are ineligible expenditures.

6. No state grant-in-aid funds may be used for project evaluations or for Regional Planning Units administrative expenses.

7. There is a general restriction prohibiting the funding of the following items:

a) All mobile vehicles (automobiles, vans, airplanes, boats, etc.), gasoline, tires, automobile repair and maintenance, insurance, uniforms, leather accessories, maintenance of equipment and uniforms, firearms and ammunition. (Ammunition for training purposes will be considered on a case-by-case basis.)

b) No automobile accessories will be allowed except radio equipment.

8. Renovation will be limited to a maximum of \$25,000 in grant funds.

9. Private non-profit agencies will be required to have a current surety bond equal to the amount of the grant.

10. Personnel costs (salary, fringe, etc.) may be eligible for funding under new grants.

11. Consultants and contracts will be limited to research/development and training programs. Consultants may not be used to perform services ordinarily accomplished by existing personnel.

12. Consultant fees will be limited to a maximum of \$25 per hour. Travel time may not be counted in computation. Travel expenses will be based on State Travel Regulations.

13. Consultant services which are available as no-cost technical assistance will not be eligible for funding.

14. All State Grant-In-Aid juvenile projects must be reviewed first by the JJDP Advisory Board prior to review by the Louisiana Commission on Law Enforcement. All courts projects must be reviewed by the Judicial Planning Committee prior to review by the LCLE.

15. Applications received at the Louisiana Commission on Law Enforcement on or before the fifteenth of the month shall be presented to the Commission at the meeting in the following month.

16. Funding for equipment grants will be made on the basis of a purchase order or invoice submitted by the grantee.

17. Payment for training (including advanced and in-service) shall be a on-reimbursement basis subject to State Travel Regulations. All other subgrants shall be made on a quarterly draw-down basis.

18. Use of confidential funds are subject to rules and regulations established by the Louisiana Commission on Law Enforcement.

19. All funds unawarded by March 1 shall be reviewed by the Louisiana Commission on Law Enforcement for redistribution at the following Commission meeting.

20. All unspent funds, as reported on the March 31 fiscal report, shall be reviewed at the following Commission meeting for deobligation and redistribution.

21. State reimbursement for basic training tuition shall not exceed \$400 per person certified by POST. (Requires successful completion) Reimbursement shall be limited to tuition cost only. (No travel, lodging and meals.)

22. No university (or any certified academy) receiving direct state appropriations for law enforcement training shall be eligible for training funds under this program.

23. Basic training and travel policies may be adopted by local councils (subject to LCLE approval and state travel regulations) and be an eligible reimburseable expense out of Local Block Training.

24. Any subgrant to a single agency in excess of \$3,000 made from regional block training funds, excluding basic training, must be approved by the Louisiana Commission on Law Enforcement.

25. No agency on official notice by the Louisiana POST Council of non-compliance with state basic training mandates shall be eligible for participation in the State Grant-In-Aid Program except basic training reimbursement.

26. To be eligible for participation in the State GIA program, local criminal justice agencies will be required to comply with requests for information mandated by the Louisiana Commission on Law Enforcement.

#### 27. APPEALS PROCEDURE:

When an application for funding is rejected by the Commission, or when an approved subgrant is discontinued, the applicant or subgrantees may appeal the decision of the Commission by filing a notice of appeal with the Louisiana Commission on Law Enforcement at the recognized business address, (1885 Wooddale Boulevard, Room 610, Baton Rouge, Louisiana, 70806). The notice of appeal must be by certified mail and must be filed no later than 15 business days after receipt of the notice of denial by the applicant or subgrantee.

Upon receipt of the notice of appeal by the Louisiana Commission on Law Enforcement, the Executive Director will notify the Commission that an appeal hearing will be held on the date of the next regularly scheduled Commission meeting. The Priorities Committee will hear the appeal and make recommendations to the Commission. The Executive Director shall designate the time and place of the meeting, and a copy of the notice shall be sent to the applicant or subgrantee.

On the date of the next regularly scheduled Commission meeting, the Priorities Committee shall meet and hear evidence by the applicant or subgrantee relative to reasons the appeal should be granted. The applicant or subgrantee may present as many witnesses as may be necessary to support his appeal, except that the Committee Chairman may limit the number or time allotted to the witnesses where necessary. The secretary to the Commission shall take minutes of the appeal hearing and the entire hearing shall be recorded. The Committee may also request other evidence relating to the application or project.

At the conclusion of the hearing, the Committee shall present its findings and make recommendations to the Commission.

A vote shall then be taken on the appeal.

In the event the appeal is denied, the applicant or subgrantee may, within 15 days of the date of denial, file with the Office of the Governor and the Louisiana Commission on Law Enforcement, a notice of appeal to the Governor. The notice of appeal must be by certified mail.

Upon receipt of the notice of appeal to the Governor, the Louisiana Commission on Law Enforcement shall have 15 days to provide the applicant or subgrantee and the Governor with the minutes of the appeal hearing and a copy of the vote of the Commission. The recorded tapes shall also be made available to the Governor at his request.

The results of the appeal to the Governor shall be communicated to the Louisiana Commission on Law Enforcement within 20 days.

Nothing herein shall preclude the resubmission of an application through the use of regular Louisiana Commission on Law Enforcement procedures.

Elmer B. Litchfield  
Executive Director

## RULE

### Department of Health and Human Resources Board of Examiners For Nursing Home Administrators

The State Board of Examiners for Nursing Home Administrators has adopted the following changes to its Rules and Regulations.

1. Rule 12, paragraph 2 amended to read:

“Prospective preceptors shall apply on forms supplied by the Board for approval of the Board prior to beginning any A.I.T. Program. Preceptors shall be approved by the Board when it is verified that they meet requirements for preceptor.”

2. Rule 17, paragraph B amended to read:

“A copy of the certificate(s) of attendance for 15 hours of approved Continuing Education is to be attached to the annual Re-registration application.”

3. Rule 14, paragraph A amended to read:

2. “collectively contain a minimum of 15 clock hours with the recommendation that no more than five hours be offered daily.”

4. Rule 12, paragraph 5 amended to read:

“This provision, or portions thereof, may be waived if the applicant has earned at least a baccalaureate degree in health care administration or has work experience in the health field that meets or exceeds AIT requirements in his or her specialty and/or other areas as approved by the Board. Request for Waiver(s) must be submitted with the application (B.E. 2) for approval of the Board.”

Winborn E. Davis  
Executive Secretary

## RULES

### Department of Health and Human Resources Office of Licensing and Regulation Board of Nursing

R.N. 2.05 (3)

When the Board has determined that a program in Nursing Education is not meeting the Legal Standards and Requirements, the Board, after an evaluation or hearing, shall provide the nursing program with a written notice of a specific deficiency, or deficiencies, and place the program on conditional approval for a period of one year. A program has the right, at any time, to present evidence to the Board that the deficiency, or deficiencies has/have been corrected, and may petition the Board to restore full approval status to the Nursing Education Program.

At the end of one year, from the date on which the program was placed on conditional approval, the program shall submit to the Board, a written report with a specific plan of action for removing the specified deficiency or deficiencies. If the program presents sufficient evidence that the deficiency, or deficiencies, has/have been corrected, the Board may restore full approval status. If a program presents substantive evidence that action is being taken to correct the specified deficiencies, the Board may, after an evaluation and hearing, continue the conditional approval status for another year. At the end of the second year, the program shall submit to the Board, a second written report of the progress made in correcting the deficiency, or deficiencies.

At the end of three consecutive years of being on conditional approval, if after a hearing, it is determined that the program has not corrected the deficiency or deficiencies, the Board shall remove the program from the list of state approved schools.

Merlyn M. Maillian, R.N.  
Executive Director

## RULES

### Department of Health and Human Resources Board of Practical Nurse Examiners

The Louisiana State Board of Practical Nurse Examiners at its meeting on January 29, 1982 adopted the following amendments to the *Administrative Rules and Minimum Requirements Relating to Practical Nursing Education and Licensure to Practice in the State of Louisiana*.

#### Section IV Program Projection

##### 6. Curriculum Requirements

6-1 Development - The curriculum shall be developed and written by the nursing faculty and shall include the philosophy and objectives of the program and shall be approved by the Louisiana State Board of Practical Nurse Examiners.

6-2 Length of Program - A program shall be no less than 1500 hours of scheduled instruction with at least 700 hours being classroom instruction. Theory and clinical experience should be concurrent, if possible, progressing from the simple to the complex.

a. Program instruction and clinical experience shall be no less than 12 months.

b. Part time program instruction and clinical experience shall be no longer than two years.

6-3 The Curriculum shall include:

a. Body Structure and Function providing the student with a foundation for understanding basic anatomy and the normal functions of the human body and deviations from normal.

b. Introduction to Microbiology presenting a basic understanding of microbes necessary in carrying out nursing procedures and in helping to prevent illness and/or its transfer to others.

c. Vocational Adjustments including concepts of self adjustment, personality development, ethical, legal and social relationships with patients, families, employers and co-workers, communication skills, responsibilities of the practical nurse and general information on nursing and nursing organizations.

d. Personal, Family and Community Health presenting concepts of health and its maintenance, human development throughout the life cycle, development, spread and control of disease, and local, state and national health resources.

e. Nutrition in Health and Illness describing concepts of proper nutrition of all age groups and diet modifications for therapeutic purposes.

f. Introduction to Pharmacology presenting concepts relating to action, dosage, side effects and administration of medications.

g. Principles and Practices of Nursing presenting the application of concepts which will provide basic principles of nursing care and correlated experiences to develop competency in Medical-Surgical Nursing, Geriatric Nursing, Maternal-Child Nursing and Mental Health Nursing.

h. Career Readiness presenting information relating to interviews, completing application forms, writing resumes, requesting license endorsement in another state, job seeking, career opportunities, continuing education availability and review for the practical nurse licensure examination.

Helen W. Sheehan, R.N.  
Executive Director

## RULE

### Department of Health and Human Resources Board of Veterinary Medicine

At a public meeting held in Alexandria, Louisiana on February 5, 1982, and following a hearing on January 7, 1982, at which public comment was received, the Louisiana Board of Veterinary Medicine adopted the following Rules in accordance to law:

#### ANNUAL MEETING - [R.S. 37:1515 (E)]

The annual meeting of the Louisiana Board of Veterinary Medicine shall be on the fourth Friday in May of each year, at a time and place to be announced by posting public notice of the time and place of said meeting 24 hours in advance of such meeting at the permanent office of the Louisiana Board of Veterinary Medicine at 1986 Beaumont Drive, Baton Rouge, Louisiana.

Additional meetings of the Board may be called by the President or any three members of the Board and may be announced by posting notice of the date, time and place of such meeting, at least 24 hours in advance thereof, at the permanent office of the Board located at 1986 Beaumont Drive, Baton Rouge, Louisiana.

#### FEES [R.S. 37:1518 (3)]

The Board hereby adopts and establishes the following fees:

|   |       |
|---|-------|
| (a) Examination fee, per examination, State or National | \$100 |
| (b) Original Registration Fee                           | \$ 25 |
| (c) Annual Renewal of License Fee                       | \$ 50 |

## APPLICATIONS FOR LICENSE - [R.S. 37:1520 (A)]

### Subsection A

The application for licensure to practice veterinary medicine in the State of Louisiana shall be written, signed by the applicant, and shall contain the information set forth in R.S. 37:1520 (A).

In addition to the above requirements, the Board may also require that any applicant furnish the following information:

1. A current photograph of the applicant;
  2. A transcript of the applicant's veterinary school records;
  3. A copy of the applicant's diploma from an accredited veterinary medical school;
  4. A certificate by the applicant that the applicant has not been arrested or indicted for or been convicted, pled guilty or pled nolo contendere to either a felony or misdemeanor, other than minor traffic violations, and, in the event that the applicant is unable to so certify, may require the applicant to explain in full and/or provide further documentation;
  5. A certificate that the applicant has never had his or her license to practice veterinary medicine revoked, suspended or denied, and, in the event that the applicant is unable to so certify, the Board may request or require full explanation and/or documentation concerning such revocation, suspension or denial;
  6. A list of the veterinary licenses which the applicant currently holds;
  7. The score on any previous National Examinations or State Examinations (whether Louisiana State Examinations or State Examinations from other States) previously taken by the applicant;
  8. A list of licensed veterinarians for reference and/or letters of recommendations from licensed veterinarians, furnished for the purpose of determining the applicant's professional capabilities and ethical standards;
  9. A certificate that the applicant has received and read the Louisiana Veterinary Practice Law and the rules and regulations promulgated by the Board.
- The Board may require such application to be sworn to by the applicant, notarized, or attested to by the applicant under penalty of perjury.
- The Board may reject any application which does not contain full and complete answers and/or information as requested, and may reject any application if any of the information furnished in the application is fabricated, false, misleading or incorrect.

### LICENSES WITHOUT EXAMINATION

[R.S. 37:1522]

The Board shall not issue licenses without examination under any circumstances.

### TEMPORARY PERMITS

[R.S. 37:1523]

The Board shall not issue temporary permits under any circumstances.

### APPEALS AND REVIEW

[R.S. 49:951 (2)]

#### Subsection A

Any applicant desiring to review his or her National Examination and/or the master answer sheet and/or the examination questions shall make arrangements with the National Board of Veterinary Medical Examiners and/or any person, firm, corporation or entity charged with the preparation, grading and/or administration of the National Examination by the National Board of Veterinary Medical Examiners for such review. The Louisiana Board of Veterinary Medicine shall not conduct reviews of the questions contained on the National Examination, the answers to

the questions contained on the National Examination, or any applicant's score on the National Examination.

#### Subsection B

Any person aggrieved by a decision of the Board, other than a licensee against whom disciplinary proceedings have been brought pursuant to R.S. 37:1526, may, within 30 days of notification of the Board's action or decision, petition the Board for a review of the Board's actions.

Such petition shall be in the form of a letter, signed by the person aggrieved, and mailed to the Board at its principal office located at 1986 Beaumont Drive, Baton Rouge, Louisiana 70806.

Upon receipt of such petition, the Board then may proceed to take such action as it deems expedient or hold such hearings as may be necessary, and may review such testimony and/or documents and/or records as it deems necessary to dispose of the matter, but the Board shall not, in any event, be required to conduct any hearings or investigations, or consider any offerings, testimony or evidence unless so required by Statute or other rules or regulations of the Board.

#### Subsection C

Any licensee against whom disciplinary proceedings have been instituted and against whom disciplinary action has been taken by the Board pursuant to R.S. 37:1526 shall have rights of review and/or rehearing and/or appeal in accordance with the terms and provisions of the Administrative Procedure Act.

### INFORMATION, AGENCY OFFICE, REQUEST FOR RULES OR ACTION

[R.S. 49:951 (1)]

#### Subsection A

The Board shall maintain its principal office at 1986 Beaumont Drive in Baton Rouge, Louisiana, where the records of the Board shall be maintained for public inspection by any interested parties during regular office hours.

#### Subsection B

Persons requesting information concerning Board activities, or wishing to request adoption, amendment or repeal of rules, or seeking to institute disciplinary proceedings, or having other business of whatever kind or character before the Board may do so at the principal office of the Board, in writing, or in person.

#### Subsection C

Notices of Board meetings, proposed rules, and all other information concerning the activities, functions and actions of the Board shall be available for public inspection at the principal office of the Board.

A.R. Allbritton, D.V.M.

Secretary-Treasurer

## RULE

### Department of Health and Human Resources Office of Family Security Office of Human Development

The Department of Health and Human Resources, Office of Family Security and Office of Human Development, has adopted a rule to implement Cuban/Haitian entrants Program. The Notice of Intent proposing this rule was published March 20, 1981. This program, provided for by P.L. 96-442, covers the Cuban and Haitian immigrants who began arriving in the United States in the Spring of 1980 and who were given the special "entrants" status. These immigrants, due to their "entrants" status, are not eligible under the currently funded Refugee Resettlement Program.

Within the limits of available appropriations the Department of Health and Human Services through the Office of Refugee Resettlement will provide special Federal funding to states for 100 percent of the costs of cash and medical assistance and related administrative costs for Cuban/Haitian Entrants. Cash assistance through this program is based on AFDC and GA grant standards and is limited to 36 months. The Office of Family Security will administer the Cash and Medical Assistance Program. Funds are available to provide services for unaccompanied minors and an appropriation has been made for social services and the related administrative costs. These services will be administered by the Office of Human Development.

George A. Fischer  
Secretary

#### **RULE**

##### **Department of Health and Human Resources Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, has deleted from the Title XIX Medical Assistance Program effective October 30, 1981, the following list of drugs. Identical products made by manufacturers not shown on the list are also excluded from payment.

DESI DRUG PRODUCTS AND KNOWN RELATED DRUG PRODUCTS THAT LACK SUBSTANTIAL  
EVIDENCE OF EFFECTIVENESS AND ARE SUBJECT TO A NOTICE OF OPPORTUNITY FOR HEARING  
SEPTEMBER 25, 1981

| <u>Trade Name</u>         | <u>Active Ingredient</u>   | <u>Dosage Form/Route</u>                 | <u>Firm</u>                            | <u>Remarks</u>                  |
|---------------------------|--|--|--|---------------------------------|
| Adrenosem Salicylate      | Carbazochrome Salicylate   | Tab/Oral<br>Sol/IM                       | Beecham Labs                           |                                 |
| Alevaire                  | Tyloxapol  | Sol/Inh                                  | Breon<br>Winthrop                      |                                 |
| Amesec                    | Aminophylline<br>Amobarbital<br>Ephedrine Hydrochloride            | ECT/Oral<br>Cap/Oral                     | Lilly                                  |                                 |
| Aminophylline<br>& Amytal | Aminophylline<br>Amobarbital                                       | Cap/Oral                                 | Lilly                                  |                                 |
| Amphocortrin              | Calcium Amphomycin<br>Hydrocortisone Acetate<br>Neomycin Sulfate   | Crm/Top                                  | Warner-Lambert Co./<br>Warner-Chilcott |                                 |
| Ananase                   | Bromelains   | ETC/Oral                                 | Rorer                                  |                                 |
| Antora-B.T.D              | Pentaerythritol Tetranitrate<br>Secobarbital                       | Cap/Oral                                 | Mayrand                                |                                 |
| Aridia                    | Nylidrin Hydrochloride   | Tab/Oral                                 | USV                                    |                                 |
| Avasyme                   | Chymotrypsin   | ECT/Oral                                 | Wallace                                |                                 |
| Azo Gantanol              | Phenazopyridine Hydrochloride<br>Sulfamethoxazole                  | Tab/Oral                                 | Roche                                  |                                 |
| Bentyl/Phenobarbital      | Dicyclimine Hydrochloride<br>Phenobarbital                         | Cap/Oral<br>Tab/Oral                     | Merrell Dow<br>Pharmaceuticals         | NOOH does not<br>apply to syrup |
| Betadine Vaginal Gel      | Povidone-Iodine  | Gel/Vag                                  | Purdue Frederick                       |                                 |
| Brophed                   | Ephedrine Sulfate<br>Hydroxyzine Hydrochloride<br>Theophylline     | Tab/Oral                                 | Cord                                   |                                 |
| Butazolidin Alka          | Aluminum Hydroxide<br>Magnesium Trisilicate<br>Phenybutazone       | Tab/Oral                                 | Geigy                                  |                                 |
| Cantil w/Phenobarbital    | Mepenzolate Bromide<br>Phenobarbital                               | Tab/Oral                                 | Merrell Dow<br>Pharmaceuticals         |                                 |
| Caldecort                 | Calcium Undecylenate<br>Hydrocortisone Acetate                     | Ont/Top                                  | Pennwalt                               |                                 |
| Caldecort                 | Calcium Undecylenate<br>Hydrocortisone Acetate<br>Neomycin Sulfate | Ont/Top                                  | Pennwalt                               |                                 |
| Carbital                  | Carbromal<br>Sodium Pentobarbital                                  | Cap/Oral<br>Elx/Oral                     | Warner-Lambert Co./<br>Parke-Davis     |                                 |
| Cartrax                   | Hydroxyzine Hydrochloride<br>Pentaerythritol Tetranitrate          | Tab/Oral                                 | Roerig                                 |                                 |
| Celestone w/<br>Neomycin  | Betamethasone<br>Neomycin Sulfate                                  | Crm/Top                                  | Schering                               |                                 |
| Cetacaine                 | Benzocaine<br>Tetracaine Hydrochloride                             | AER/Top<br>Ont/Top<br>Gel/Top<br>Liq/Top | Cetylite                               |                                 |
| Chymoral                  | Chymotrypsin<br>Trypsin  | ECT/Oral                                 | Armour Pharm                           |                                 |
| Combid                    | Isopropamide Iodide<br>Prochlorperazine Maleate                    | SRC/Oral                                 | SKF                                    |                                 |
| Car-Tar-Quin              | Coal Tar Solution<br>Dilodihydroxyquin<br>Hydrocortisone           | Crm/Top<br>Lot/Top                       | Dome                                   |                                 |
| Cordran-N                 | Flurandrenolide<br>Neomycin Sulfate                                | Ont/Top<br>Crm/Top<br>Lot/Top            | Lilly                                  |                                 |
| Corovas                   | Pentaerythritol Tetranitrate<br>Secobarbital                       | SRC/Oral                                 | Amfre-Grant                            |                                 |

| Trade Name                              | Active Ingredient   | Dosage Form/Route | Firm                     | Remarks   |
|---|---|-------------------|--------------------------|---|
| Carisiprin                              | Gramicidin<br>Hydrocortisone<br>Neomycin Sulfate  | Crm/Top           | Burroughs-Wellcome       |   |
| Cortomycin                              | Hydrocortisone<br>Neomycin Sulfate  | Ont/Top           | Bryant<br>Pharmaceutical |   |
| Cyclandelate                            | Cyclandelate  | Tab/Oral          | Cord<br>Premo            |   |
| Cyclospasmol                            | Cyclandelate  | Cap/Oral          | Ives                     |   |
| Dalite                                  | Aminophylline<br>Benzocaine<br>Dried Aluminum Hydroxide Gel<br>Ephedrine Hydrochloride<br>Phenobarbital                     | Tab/Oral          | Wallace                  |   |
| Dalite-KI                               | Aminophylline<br>Benzocaine<br>Dried Aluminum Hydroxide Gel<br>Ephedrine Hydrochloride<br>Potassium Iodide<br>Phenobarbital | Tab/Oral          | Wallace                  |   |
| Dartcon PB                              | Oxyphenycyclimine Hydrochloride<br>Phenobarbital  | Tab/Oral          | Beckham Labs             |   |
| Daener                                  | Deanol Acetamidobenzoate  | Tab/Oral          | Riker                    |   |
| Depril                                  | Benazepril Hydrochloride<br>Meprobamate   | Tab/Oral          | Wallace                  |   |
| Di-Ademil-K                             | Hydroflumethazide<br>Potassium Chloride   | Tab/Oral          | Squibb                   |   |
| Dibenzyline                             | Phenoxylbenzamine Hydrochloride   | Cap/Oral          | SKT                      |   |
| Ditensan                                | Methylethylazide<br>Crypsenamine Tannates   | Tab/Oral          | Wallace                  |   |
| Donatal Extentabs                       | Atropine Sulfate<br>Hyoscyamine Sulfate<br>Phenobarbital  | SR/Oral           | Robins                   | NOOH applies<br>only to<br>controlled<br>release<br>product |
| Biquessio                               | Aspirin<br>Meprobamate<br>Ethiopeazine Citrate  | Tab/Oral          | Wyeth                    |   |
| Biquinate                               | Meprobamate<br>Pentaveritral Tetrhydrate  | Tab/Oral          | Wyeth                    |   |
| Erythrocin                              | Erythromycin  | Ont/Top           | Abbott                   |   |
| Erythromycin                            | Erythromycin  | Ont/Top           | Upjohn                   |   |
| Piorinet                                | Fludrocortisone Acetate<br>Gramicidin<br>Neomycin Sulfate   | Lot/Top           | Squibb                   |   |
| Hydrocortisone-Neomycin                 | Hydrocortisone Acetate<br>Neomycin Sulfate  | Crm/Top           | Byk-Gulden               |   |
| Hydromet                                | Hydrocortisone<br>Neomycin Sulfate  | Lot/Top           | Merk Sharp & Dohme       |   |
| Polycin No. 90                          | Erythromycin  | Ont/Top           | Lilly                    |   |
| Iodochlorhydroquin w/<br>Hydrocortisone | Hydrocortisone<br>Iodochlorhydroquin  | Crm/Top           | Byk-Gulden               |   |
| Isordil w/Phenobarbital                 | Isorbide Dinitrate<br>Phenobarbital   | Tab/Oral          | Ives                     |   |
| Isosuprine HCL                          | Isosuprine Hydrochloride  | Tab/Oral          | Cord<br>Premo            |   |
| Librax                                  | Chlordiazepoxide Hydrochloride<br>Clidinium Bromide   | Cap/Oral          | Roche                    |   |