

July 2019

Economic Impact Statements for Proposed Rules

The corresponding proposed rule to each of the statements below may be viewed in its entirety in the July 20, 2019 *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/regs2019.aspx>

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Department of Children and Family Services	Public Assistance Programs	Approximately 65 SNAP households will incur a benefit reduction of \$1 per month. Also, approximately 1,227 additional households may eligible for SNAP benefits since certain households will no longer be subject to a resource limit. The average monthly SNAP benefit is \$269 per household.
Department of Civil Service	Tax Appeals Procedure and Practice	BTA reports that electronic filing will be at rates commensurate with district courts (~\$50 per month), and that approximately 20-30 subscribers are anticipated for this service. Subscribers will benefit from a more efficient filing process.
Board of Elementary and Secondary Education	Administrative Board Operations and Programs	There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.
Board of Elementary and Secondary Education	Bulletin 111—The Louisiana School, District, and State Accountability System—School Performance Scores; Inclusion in Accountability; and Interests and Opportunities Index Calculations	There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups as a result of the proposed policy revisions.
Board of Elementary and Secondary Education	Bulletin 126—Charter Schools Alternative Education Sites	There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups as a result of the proposed policy revisions.
Board of Elementary and Secondary Education	Bulletin 140—Louisiana Early Childhood Care and Education Network—Academic Approval; Accountability; and Coordinated Enrollment	There will be no impact to early learning center owners, operators, or staff as a result of the proposed changes.
Board of Elementary and Secondary Education	Bulletin 741—Louisiana Handbook for School Administrators—Curriculum and Instruction TOPS University Diploma	Currently there are no schools offering the proposed coursework. The University of Cambridge indicated enrollments are not expected until the 2020-2021 school year. At that time, high school students may benefit from the option of using such coursework to meet graduation requirements, however, this coursework has not been recognized by OSFA as a course equivalent. Until such time that such coursework may be recognized by OSFA, these courses cannot be used to satisfy TOPS eligibility requirements.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Board of Elementary and Secondary Education	Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators—Curriculum and Instruction—TOPS University Diploma and the Career Diploma	Currently there are no schools offering the proposed coursework. The University of Cambridge indicated enrollments are not expected until the 2020-2021 school year. At that time, high school students may benefit from the option of using such coursework to meet graduation requirements, however, this coursework has not been recognized by OSFA as a course equivalent. Until such time that such coursework may be recognized by OSFA, these courses cannot be used to satisfy TOPS eligibility requirements.
Board of Elementary and Secondary Education	Bulletin 746—Louisiana Standards for State Certification of School Personnel Certifications and Endorsements	Individuals seeking certification will benefit from the lower social studies Praxis test score, as well as the reduction in qualifying out-of-state employment from four to three years, as required for certification. The requirement that all out-of-state employment be verified as successful by the out-of-state employing authority or the state educational agency (SEA) is not anticipated to have a significant effect.
Board of Elementary and Secondary Education	Bulletin 1530—Louisiana’s IEP Handbook for Students with Exceptionalities—Alternate Assessments	The proposed policy revisions will not result in costs and/or economic benefits to directly affected persons or non-governmental groups.
Department of Health	Facility Need Review Hospital Off-Site Emergency Departments	This proposed Rule amends the provisions governing the Facility Need Review (FNR) Program in order to establish a process for licensed hospitals to obtain FNR approval for an emergency department licensed as an off-site campus of a hospital. Implementation of this proposed Rule will ensure access for patients in need of emergent care services. It is anticipated that implementation of this proposed rule will have no economic costs or benefits to hospitals for FY 19-20, FY 20-21 and FY 21-22.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Board of Nursing	Advanced Practice Registered Nurses	<p>The proposed rule changes require advanced practice registered nurses (APRNs) prescribing controlled substances (CDS) and who possess or will possess a CDS license to complete a one-time, 3-hour continuing education course on controlled dangerous substances, which will result in additional costs to APRNs. Furthermore, APRNs must notify the LA State Board of Nursing of the completion of the continuing education requirement in order to renew their licenses.</p> <p>Failure to comply with the new continuing education requirement will result in lapsing of the license. To avoid the accidental lapsing of licenses, the proposed rules changes require the completion of the continuing education upon initial application and request for controlled substance privileges.</p> <p>The proposed rule changes regarding continuing education will benefit APRNs by educating them on current standards of practice that assist them in remaining compliant with the laws and rules related to the practice of nursing. Practicing in a prudent manner promotes delivery of quality health care and averts disciplinary action against licensees and most importantly benefits patients under the care of an APRN as recipients of quality care.</p> <p>Furthermore, the proposed rule changes include an exemption from the CDS continuing education requirement for APRNs who attest to not prescribing CDS medications during their previous licensure period upon license renewal. To the extent such APRNs prescribe a CDS during practice of their current license period, they will be required to complete the continuing education requirement prior to their next license renewal.</p>
Department of Health	Home and Community-Based Services Waivers—Provider Requirements	<p>This proposed rule amends the general provisions governing home and community-based services (HCBS) waivers in order to require HCBS providers to verify employee Social Security numbers, and to clarify and ensure that these provisions are appropriately promulgated in the Louisiana Administrative Code. Implementation of this proposed rule may impact providers that fail to verify Social Security numbers of current and new employees, if payments are withheld as a result of non-compliance with this requirement. It is anticipated that implementation of this proposed rule will not result in costs to providers of home and community-based waiver services in FY 18-19, FY 19-20 and FY 20-21, but will be beneficial by providing clear and concise participation requirements.</p>

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Physical Therapy Board	Licensing and Certification	<p>The Compact State Fee represents no additional costs or savings for persons domiciled out-of-state but presently licensed in Louisiana, as it carries the same cost as a 2-year license renewal (See Part II). However, to the extent practitioners domiciled in Compact States outside of Louisiana that did not previously hold a license to practice seek a Compact Privilege to Practice in Louisiana, it will result in a cost increase of \$280 every 2-years. All licensees participating the Compact will be required to comply with the continuing education requirements of their home state license.</p> <p>The proposed rules will result in a \$250 per-request increase for persons seeking a formatted mailing list from the LPTB. However, in the event persons request an unformatted mailing list through a public records request, they will be able to obtain the list for no charge.</p> <p>The proposed rule change removing the requirement for practitioners to submit certificates of completion for dry needling courses to the LPTB will result in a cost savings for those practitioners. However, these practitioners must now keep records of their course completion instead of the LPTB.</p> <p>The proposed rule changes allow supervising PTs to supervise up to two PTAs, rather than the previous maximum of one.</p>
Department of Insurance	Regulation 112—Adoption of NAIC Handbooks, Guidelines, Forms and Instructions	<p>The proposed Rule changes will benefit persons and entities seeking to know which handbooks or guidelines are currently being incorporated by reference to serve as professional guidance for entities under the purview of the LA Dept. of Insurance (LDI). These handbooks and guidelines will be available for public viewing in hardcopy form at the offices of the LDI and Office of State Register and online at the NAIC website.</p>
Department of Natural Resources	Statewide Order No. 29-B	<p>There are no anticipated costs to directly affected persons or non-governmental groups. Operators of producing wells are currently required to dispose of Exploration and Production Waste (E and P Waste) depending upon waste type. The proposed rule change clarifies that the waste type previously used for residuals in large marine tanks such as marine supply vessel permanent cargo tanks, closed-top and open barges remains the same.</p>