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Policy and Procedure Memoranda

Office of the Governor
Division of Administration

Policy and Procedure Memorandum No. 64

Subject: Printing Procedures

Effective Date: September 8, 1978

Authorization: R.S. 43:1-31 (Act 130 of 1978 replaces R.S. 43:31)

This policy and procedure memorandum rescinds, supersedes, and cancels Policy and Procedure Memorandum No. 62 revised, including any and all previous delegation of authority pertaining to PPM No. 62.

All administrative boards, commissions, departments, agencies, institutions, and offices within the Executive Branch of State government shall purchase all requirements of printing and engraving through Central Purchasing, Division of Administration. Exceptions: Louisiana State University and Agricultural and Mechanical Colleges, the Department of Transportation and Development, and the port authorities.

All requirements for printing, engraving, and binding shall be submitted directly by the agency to Central Purchasing, Division of Administration, and shall not be handled at the agency level through the printing vendors or their representative. Certified library binding should be handled on a release order through the agency's purchasing section using the correct binding contract for certified library binding and rebinding of books.

Requisition: All items of printing, binding, or engraving shall be requisitioned on a purchase requisition (Form DA 101 or DA 101 A. If agency is on FACS, use FACS 101) and only like items shall be requisitioned on each requisition form.

Examples:

1. Printed letterheads
2. Engraved letterheads
3. Flat forms
4. Snap set (same size)
5. Continuous forms
6. Card forms

Each requisition must be accompanied by complete specifications (size, color, and kind of paper, construction, numbering information, etc.) and a sample or clean layout. The sample must be a complete original. A Xerox copy or a reference to a previous order will not be acceptable.

When preparing a requisition, the agencies must use a fourteen-digit requisition number (first three digits agency number, next five agency cost center, next five requisition number, final digit will be last number of the fiscal year money is to be encumbered), complete specifications, and include an original sample.

Any and all requisitions received by Central Purchasing, Division of Administration, not meeting the above requirements shall be returned to the agency submitting such requisitions prior to entering the job request.

Suspension

Acts 1972, Senate Concurrent Resolution No. 99 provides for suspension of all laws or parts of laws requiring printed reports by State boards, commissions, departments, or agencies as follows: "Therefore, be it resolved by the Senate of the Legislature of the State of Louisiana, the House of Representatives thereof concurring, that all laws or parts of laws that require or authorize State boards, commissions, departments, and/or agencies to prepare, print, or publish and distribute annual or biennial reports to the

Governor, the Legislature, or both of them, or for public distribution, are hereby suspended to the extent of such requirements or authorizations; provided, however, that said suspension shall not apply to any laws or portions of laws requiring or authorizing reports required by laws or regulations of the United States Government or any of its agencies in order to obtain or continue to receive Federal funds, grants, or assistance."

R.S. 43:31—Printed Matter Prohibitions; Uniform Standards; Election Material

A. No branch, department, agency, official, employee, or other entity of State government for which a budget has been approved and for which an appropriation has been made or a transfer of funds effected pursuant to law shall print or cause to be printed any bulletin, leaflet, Christmas card, or other similar communication, house organ, circular, book, report or similar publication, except those required by law. All printed matter so required shall be effected in a uniform manner as to basic content, size, quality of paper, and use of color (Note: See Standard Specifications which follow.) to be established by the Division of Administration, the legislative budgetary control council, and the judicial budgetary control council. The Division of Administration, legislative budgetary control council, and the judicial budgetary control council shall be empowered to make such exceptions affecting their respective branch of government to the provisions of this Subsection as may be in the best interests of the State of Louisiana. In addition, the provisions of this Subsection shall not be construed to prohibit the printing or publication of any printed matter required by any Federal law or regulation in order that the State or any department or agency thereof may obtain or receive Federal funds, grants, or assistance. The provisions of this Section shall apply to printed matter printed pursuant to any such Federal law or regulation to the extent that this Section does not conflict with any such law or regulation.

Explanation: Agencies seeking to print public documents not required by State or Federal law must send copies, facsimiles, or descriptions of these documents with a detailed justification of need for printing and distributing these documents to their respective Undersecretaries. The Undersecretaries with permission from their respective Cabinet Secretaries are delegated the authority to deny permission to print any public document they deem as not necessary for the fulfillment of their agency's or department's purpose or feel not to be in the best interest of the State of Louisiana.

The public document printing requests that pass the Undersecretary's screening process shall be sent (for collection purpose only) to the State Budget Office (10th Floor, State Capitol, Box 44095) along with a signed copy of the public document printing request form for Division of Administration approval. (Note: Do not send forms, letterheads, internal memorandums, etc.)

When submitting a printing request to Central Purchasing, the following information must be included on the requisition:

1. The Federal or State law that requires you to print this material.
2. Division of Administration special exception documentation.

B. All printed matter except documentation in connection with proceedings of the executive, legislative and judicial branches of State government printed or caused to be printed by any branch, department, agency, official, employee, or other entity of State government, shall contain the following statement, with required information inserted, printed on the publication adjacent to the identification of the agency responsible for publication: "This public document was published at an annual cost of \$_____, or \$_____ per copy by (name and address of person, firm, or corporation or agency which printed the material) to (statement of purpose) under authority of (citation of law requiring publication or

of special exception by Division of Administration, the legislative budgetary control council or the judicial budgetary control council as provided in Subsection A). This material was printed in accordance with the standards for printing by State agencies established pursuant to R.S. 43:31." If the printing of the material was not done by a State agency the above statement shall include the following additional language: "Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes." This statement shall be printed in the same size type as the body copy of the document and shall be set in a box composed of a one-point rule.

Explanation: 1. "All printed matter" referred to in Section B is assumed by the Division of Administration to refer to types of printing material described in Section A of Act 130.

2. The required cost statement can be placed on the title page of books. On brochures and other publications, it should be placed below the agency name.

3. When documents are printed by special permission the following statement must be substituted: "Under authority of special exception by the Division of Administration."

4. It will be the agency's option to use total cost or cost per copy.

C. The following three factors shall be utilized in computing cost data: 1) Preparation of the public document for publication; 2) printing, including all expenditures for reproduction, whether on bid or in-house; and 3) circulation, including all estimated expenditures for postage and distribution of the public document.

Explanation: The Division of Administration assumes that the intent of the Legislature was not to increase either administrative or printing costs with the passage of Act 130, therefore in computing cost data estimated costs may be used. The estimated costs should include:

1. An estimated portion of the salaries of agency personnel involved in preparing document.

2. Printing costs should be given by printer, whether in-house, administrative services, or printing contract on quantity ordered.

3. Estimated postage or freight for distribution.

D. No funds appropriated for printing purposes or otherwise shall be used to urge any elector to vote for or against any candidate or proposition on an election ballot nor shall such funds be used to lobby for or against any proposition or matter having the effect of law being considered by the Legislature or any local governing authority. This provision shall not prevent the normal dissemination of factual information relative to a proposition on any election ballot or a proposition or matter having the effect of law being considered by the Legislature or any local governing authority.

E. Any administrative head of any branch, department, agency, or entity who violates any provision of this Section and any employee who, without the authorization of his administrative superior, violates any provision of this Section shall be personally liable for the cost of any printing in violation of this Section. Any State funds expended on any printing in violation of this Section may be recovered by the State in a civil action instituted by the Attorney General or any taxpayer. In addition, any such person who violated the provisions of this Section shall be assessed a fine by the court of not more than five hundred dollars.

Standard Specifications

State Publications

Size: 6 X 9, 5½ X 8½, 8½ X 11, or 9 X 12

Paper: Text 50 lb. or 60 lb. white offset, 60 or 70 lb. enamel

Cover 65 lb. No. 1 Antique cover (standard colors)

or 65 to 80 lbs. coated covers (white only)

Ink: Text one color

Cover one color

Binding: On individual basis

Copy:

1. Camera-ready

Typed, computer printout, or previously printed book, unless it has been copyrighted.

2. Set-type for 6 X 9 or 5½ X 8½

10-point on 12-point slug by 25 picas wide by 45 picas deep including folio. Agency may select type faces from those available. Smaller type may be used in tabular matter to save on the number of pages.

Set-Type for 8½ X 11

10-point on 12-point slug by 42 picas (2 columns with 2-pica gutters) wide by 56 picas deep including folio. Agency may select type face from those available. Smaller type may be used in tabular matter to save on the number of pages.

The method of printing would determine the feasibility of photographs.

Example:

Letterpress-(all type) No photographs should be used.

Offset-Photographs can be used.

Newsletters, Leaflets, Etc.

Size: 8½ X 11 or 17 X 11

Stock: 15 lb. to 20 lb. bond

60 lb. to 80 lb. text offset

60 lb. or 70 lb. enamel

Ink: One color (both sides)

Fold: 8½ X 11 size to 8½ X 5½ or to fit no. 10 envelopes

17 X 11 size to 8½ X 1 or 8½ X 5½ or to fit no. 10 envelope

Copy:

1. Camera-ready or

2. Set type-image area

8½ X 11 size—7½ X 10

17 X 11 size—16 X 10

Agency may select type face and size from those available. Size of type will depend on amount of copy and the number of photographs that will be used in the newsletter, leaflet, etc. Photographs should be held to a limited number.

Where unusual problems are encountered, and an agency considers additional delegated authority necessary, an application for this authority may be submitted to the Commissioner of Administration, or his designated representative may be empowered to make certain exceptions that may be in the best interest of the State. However, application for such exceptions must be in writing and must present detailed information in support of such request.

Classes of Printing: The State printing contract covers thirty-one categories of printing and binding. Central Purchasing, Division of Administration, reserves the right to assign each request for printing to the proper contractor, to the Administrative Services Section of the Division of Administration, or to award to a commercial printer as a result of competitive bids taken by the State Printing Agent.

In all printing contracts, the right shall be reserved for all State boards, commissions, departments, institutions, and offices to do and perform printing, mimeographing, copying, and similar work for which they have existing facilities.

R.S. 43:1B(3) Delegation of Authority: The Commissioner of Administration may delegate the purchase of printing to any instrumentality whenever the best interest of the State will be served; however, the delegation of this authority does not preclude the procurement of these items through the Purchasing Section when the Commissioner deems it more desirable or practical to do so.

Authority is delegated to all agencies covered by this Act to purchase the following items without prior approval by the printing office.

1. Prepublished items specifically limited to:

a. Technical or scientific books

b. Pamphlets, reports, maps, and charts

c. Tax and tariff schedules

- d. Subscriptions to newspapers, magazines, and periodicals.
2. Art work and similar professional services.
3. College yearbooks and student newspaper.
4. Athletic, cultural, or entertainment programs, posters, and tickets.

All purchases, whether made by the Division or by the agency under the delegated authority provision, shall be made in compliance with R.S. 43:1-31.

Forms Management: Forms that are warehoused by the State for State agencies are ordered on a warehouse requisition (DA FM 1). These requisitions are sent directly to Forms Management, 655 Choctaw Drive, Baton Rouge, Louisiana. If you do not have a forms register or the warehouse requisition, you may obtain these by calling Forms Management (342-5095).

Administrative Services: If a State agency is certain their printing will be handled by Administrative Services they can fill out an Administrative Services printing request. This form along with an original sample, may be sent directly to Administrative Services; a DA 101 does not have to be included with this request. If the State agency needs any of these request forms they may call 925-6517.

Information: All requests for information shall be directed to Division of Administration, State Printing Agent, Box 44095, Baton Rouge, Louisiana, phone 342-4475. Questions regarding specifications, deliveries, and other matters pertaining to printing jobs shall be submitted directly by the agency to the Division of Administration and shall not be handled by the agency through representatives or vendors. The facilities of the printing office are available to any agency and all requests will be handled promptly.

Charles E. Roemer, II
 Commissioner of Administration and
 Executive Assistant to the Governor

Emergency Rules

DECLARATION OF EMERGENCY

Board of Trustees for State Colleges and Universities

At its meeting on September 8, 1978, the Board of Trustees took the following emergency action, effective immediately.

The Board's *Policy and Procedures Manual*, Part VIII, Student Personnel Policies and Procedures, is amended as follows:

Delete No. 7 of Section 8.10, Paragraph A, which reads as follows:

"No student who is a recipient of other financial aid from State funds shall be eligible for one of these scholarships."

Delete Paragraph C of Section 8.10, which reads as follows:

"An academic scholarship recipient is restricted from receiving a second scholarship involving State funds, except in the case of the Louisiana High School Rally Scholarship since it is funded by the State Legislature under the provisions of a special act of the 1972 Legislature."

These sections represent Board policy on academic scholarship and other State financial assistance to students. As long as they are effective, a student receiving a State scholarship of any kind is ineligible for student employment; and in many cases, the cost per student per semester is such that the highest-paying scholarship does not cover minimum expenses. The nature of the emergency is that a large number of economically handicapped young persons would be unable to obtain sufficient financial assistance to

attend college this semester. The deletion of the above paragraphs will enable colleges and universities to offer student employment, as well as other financial aid so that these students will not be denied a higher education.

This action was taken in accordance with the emergency provisions of the Administrative Procedures Act and under the authority of Article VIII, Section 6 of the 1974 Constitution.

Bill Junkin, Executive Director
 Board of Trustees for State
 Colleges and Universities

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education, at its regular meeting on August 24, 1978, exercised the emergency rule-making provision of the Administrative Procedures Act, R.S. 49:953B, to adopt guidelines for the implementation of Act 718 of 1978 to extend application to those applying for tuition exemption for the 1978 Fall semester. Emergency action was necessary in order to comply with the mandates of the legislative act. Act 718 Guidelines were adopted in lieu of Act 20 Guidelines in order to include vocational-technical instructors.

Rule 5.00.80(1)

Tuition Exemption for Teachers Act 718 Guidelines (Effective August, 1978)

1. The State Department of Education shall prepare an application form for the approval of the tuition exemption. This form will be sent to local public school boards for distribution to eligible public and nonpublic teachers and vocational-technical instructors.

2. A. Teachers will make application for tuition exemption to the Louisiana college or university that they are to attend after receiving continuing education tuition exemption eligibility verification from the appropriate authority:

Public Teachers—Verification from the principal and superintendent or his designee.

Nonpublic Teachers—Verification from the principal and, in cases of parochial schools, the diocesan superintendent or his designee.

Vocational-Technical Instructors—Verification from the vocational-technical director.

B. Applications for tuition exemption should be submitted at the time of registration at the college or university in which a student wishes to enroll. Application for admission to the university must be made in compliance with university regulations and deadlines.

C. Course eligibility will be determined according to these guidelines by the college or university to which application is made.

D. All qualified applicants will be granted only the tuition exemption. Tuition exemption shall be limited to the amount of tuition assessed for on-campus courses.

E. Courses for reimbursement shall be limited to those that commence no sooner than the first day of the regular semester or quarter and/or no later than fifteen days after the beginning of the regular semester or quarter. The deadline date for submitting applications for this program shall be the fourteenth class day of the semester or quarter.

F. No student shall be allowed to pursue courses at more than one college or university simultaneously under this program.

G. No student shall be allowed to participate in this program outside the geographical boundaries of the state of Louisiana.

3. Elementary and secondary teachers: Any certified teacher teaching in, or on approved leave from, a State approved elementary or secondary school, or a degreed teacher eligible to teach in a public school and teaching in an approved nonpublic elementary or secondary school in compliance with nonpublic school standards, shall be eligible for the tuition exemption providing the teacher attends a Louisiana college or university. This tuition exemption shall not apply to those teachers holding temporary certificates but will apply to those teachers holding regular certificates with temporary certification in a particular area.

A. Interpretation of "attend": The teachers shall enroll in an on-campus course or an off-campus course for credit. Correspondence courses will not be considered.

B. Interpretation of "teacher": Any employee listed on the annual school report as a member of the faculty of an elementary or secondary school whose position requires a standard teacher certificate and who possesses such a certificate.

C. Interpretation of "approved elementary and secondary school": Any school that is involved in the day-to-day teaching of students in grades kindergarten through 12 or any combination thereof that is on the approved list of schools under the direction of the State Board of Elementary and Secondary Education. This shall include only the approved public, nonpublic, alternative, and special schools listed in Bulletin 741.

D. Only full-time teachers who are regularly employed, or those who are on approved leave, are eligible under this act. Day-to-day substitute teachers are not eligible.

4. Vocational-technical instructors: Teachers teaching in vocational-technical schools under the jurisdiction of the State Board of Elementary and Secondary Education shall be eligible for the tuition exemption, providing the instructor attends a Louisiana college or university.

A. Interpretation of "attend": The instructors shall enroll in an on-campus course or an off-campus course for credit. Correspondence courses will not be considered.

B. Interpretation of "vocational-technical instructor":

1. Any employee listed on a composite report listing instructional personnel to be submitted to the State Board of Elementary and Secondary Education by September 1, 1978.

2. All full-time instructors who are required by Bulletin 746 to earn 15 credit hours in Vocational, Technical and Industrial Education (VTIE) courses for certification, or;

3. Any degreed full-time instructor or guidance counselor who desires to further his education in his field of specialization.

C. Only full-time teachers who are regularly employed, or those who are on approved leave, are eligible under this act. Day-to-day substitute teachers are not eligible.

5. Only those courses of instruction in the teacher's field or discipline may be taken under this program. Course load for reimbursement purposes shall not exceed six semester hours per semester while teaching full-time.

6. Interpretation of "field or discipline" for elementary or secondary teachers:

A. Course work in the area of certification endorsed on the applicant's valid Louisiana Standard Teaching Certificate;

B. Methods and professional education courses that deal directly with the area of certification endorsed on the teaching certificate;

C. Course work outside the area of certification endorsed on the teacher's certificate, provided the principal recommends the area of instruction in which the teacher shall enroll. This must be attested to by the principal or immediate supervisor and the local superintendent;

D. Required course work in a Board of Regents' approved

advanced degree program in an area in which the applicant is presently teaching.

7. The State Superintendent of Education shall reimburse each Louisiana college or university for only the tuition funds lost due to this program, for applicants who are eligible according to the guidelines adopted by the State Board of Elementary and Secondary Education. The funds shall be paid from monies appropriated therefor or otherwise made available for this program.

8. Nonpublic universities included in this program are the following: Centenary College, Dillard University, Louisiana College, Loyola University, Our Lady of Holy Cross College, St. Mary's Dominican College, Tulane University, Xavier University.

A. Tuition paid to the above nonpublic universities shall be equal to but not greater than the highest tuition charged by a public college or university in Louisiana. The difference in the amount of tuition paid by the State and the amount charged by private universities shall be the obligation of the student.

B. State funds may not be used toward tuition courses in theology or divinity.

9. Appeals.

A. Any enrolled student whose tuition expense is not honored by the Department of Education shall have the right to a due process appeal to the State Board of Elementary and Secondary Education.

B. The individual should contact the Director of State Board of Elementary and Secondary Education for procedures to be followed for the appeal.

James V. Soileau, Director
Board of Elementary and Secondary Education

DECLARATION OF EMERGENCY

Office of the Governor Tax Commission

The Office of the Governor, Tax Commission has adopted the attached rules on an emergency basis under the provisions of R.S. 49:951, et seq.

The Tax Commission feels that the adoption of these rules must take place on an emergency basis to facilitate the certification of the tax rolls to the assessor on a timely basis so as to permit taxes to be collected by the sheriffs. Without proper rules, the Tax Commission would be required to postpone hearings on public service property protests until after publication on September 20, 1978.

These rules will be effective September 5, 1978, and remain in effect through September 20, 1978.

Public Service Properties Hearings

1. The Tax Commission or its designated representative as provided by law (that is a hearing officer), shall conduct hearings to consider the written protest, timely filed, of the assessed valuation of public service properties.

2. Three days prior to said hearings, the protesting party may file a signed written statement specifying each respect in which the initial determination is contested, setting forth the specific basis upon which the protest is filed together with a statement of the relief sought.

3. Every party, witness, attorney, or other representative shall conduct himself in all proceedings with proper dignity, courtesy and respect for the hearing officer or the Commission, and all other parties. Disorderly conduct will not be tolerated. Attorneys and other representatives of parties shall observe and practice the standards of ethical behavior prescribed for attorneys at law by the Louisiana Bar Association. Any party, witness, attorney, or other representative may be excluded by the hearing officer or the

Commission from any hearing for such a period and upon such conditions as are just for violation of this rule.

4. Every motion relating to a pending hearing shall, unless made during a hearing, be written, and shall set forth the relief sought and the specific reasons and ground therefor, if based upon matters which do not appear of record, and shall be supported by affidavit. Any motion not made during a hearing shall be considered filed when it is stamped received by the Commission in its office in Baton Rouge, Louisiana.

5. At the close of the time period for filing protests, the Commission shall assign each case to the docket and notify the parties of the time and place of the hearing.

6. Upon written notice by the Commission the parties or their attorneys or other representatives may be directed to meet and confer together by telephone or otherwise, before a specified time, prior to the hearing, and prior to the setting of a date for a hearing, for the purpose of formulating issues and considering:

- a. Simplification of issues.
- b. A limitation, where possible, of the number of witnesses.
- c. Possible consolidation of like protests.
- d. The time required for presentations.
- e. Such other matters as may aid in the simplification of the proceedings and the disposition of the matters in controversy.

7. Action taken at the conference shall be recorded in an appropriate statement by the parties, to be filed with the Commission before the date specified. In the event of a disagreement over the terms agreed upon at the conference, each party may file a separate statement setting forth the grounds for such disagreement.

8. A motion for consolidation of two or more protests, if made prior to hearing shall be in writing, signed by the mover, his attorney or representative, and filed with the Commission prior to the date set for hearing. No two or more protests shall be consolidated or heard jointly without the consent of all parties and by consent of the Commission, unless the Commission shall find that the two or more protests involved common questions of law and fact, and shall further find that separate hearing would result in unwarranted expense or delay or substantial injustice.

9. All hearings shall be open to the public. All hearings shall be held in Baton Rouge, Louisiana, unless the Commission shall designate another place of hearing.

10. Hearings will be conducted by a hearing officer selected and appointed by the Commission. The hearing officer shall have the authority to administer oaths, may examine witnesses in rule upon the admissibility of evidence and amendments to pleadings. The hearing officer shall have the authority to recess any hearing from day to day.

11. The hearing officer will have the responsibility and duty of assimilating testimony and evidence, compiling a written summary of the testimony and evidence and presenting a proposed order to the Commission. The proposed order shall be served upon the protesting party by certified mail, return receipt requested, upon receipt by the Commission.

12. The hearing officer shall direct all parties to enter their appearance on the record. In all proceedings, the protesting party shall open. After the protesting party has presented all its evidence, the hearing officer may call upon any party or the staff of the Commission for further material or relevant evidence upon any issue.

13. The Commission shall provide an official reporter to make and transcribe a stenographic record of the hearing and each protest and shall provide for such copies of the transcript as may be required for the purposes of the Commission.

14. Briefs shall be filed within seven days of receipt of the hearing officer's proposed order. The points involved shall be concisely stated, the evidence in support of each point shall be briefly summarized, and the argument and authorities shall be organized and directed to each point in a concise and logical manner.

15. Any evidence which would be admissible under the general statutes of the State of Louisiana, or under the rules of evidence governing proceedings in matters not involving a trial by jury in the courts of the State of Louisiana, shall be admissible before the Louisiana Tax Commission. Other evidence may be admitted by the Commission if it is at all probative and relevant provided the substantive rights of all parties are protected. The rules of evidence shall be applied liberally in any proceeding to the end that all needful and proper evidence shall be conveniently, inexpensively and speedily heard while preserving the substantive rights of the parties to the proceeding.

16. A protesting party, with leave of the hearing officer of the Commission, may present prepared testimony of a witness upon direct examination, either narrative or question and answer form, which will be incorporated in the record as if read, upon the witnesses being sworn and identifying the same. Such witness shall be subject to cross-examination. One signed original and four reproduced copies of said signed original shall be filed. Only the original of a deposition need be filed.

17. The hearing officer or Commission shall have the right in any proceeding to limit the number of witnesses whose testimony is merely cumulative.

18. Subpoenas for the attendance of witnesses from any place in the State of Louisiana, or for the production of books, papers, accounts or documents at a hearing, may be issued by the Commission upon its own motion, or upon the written motion of the parties showing that there is good cause for the issuance of same. No subpoena shall be issued until the party who wishes to subpoena the witness first deposits with the agency a sum of money sufficient to pay all fees and expenses to which a witness in a civil case is entitled pursuant to R.S. 13:3661 and R.S. 13:3671.

19. Within thirty days following the completion of the hearing the Commission shall notify the company in writing of its final determination.

20. The word Commission as used herein refers to the Chairman and the members or their delegates appointed to conduct the hearings.

C. Gordon Johnson, Chairman
Tax Commission

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 adopted effective October 1, 1978, policy to be utilized in assuring the provision of medically necessary nonemergency transportation to Title XIX recipients. It was necessary to adopt this by means of an emergency rule because an October 1 effective date was mandated by the federal court suit, Pitts vs. Stewart. The policy reads as follows:

1. Medically necessary nonemergency transportation: general. The term "medically necessary nonemergency transportation" means transportation provided to a Title XIX recipient to and/or from a Title XIX enrolled provider of medical service for a Title XIX covered medical service. The medically necessary nonemergency transportation program is intended to provide transportation when all other reasonable means of transportation have been explored and found to be unavailable (i.e., the client's friends, relatives, personal vehicle, or other State or Federally supported providers). The provision of nonemergency medical transportation is available on a uniform basis throughout the state, upon the recipient notifying the appropriate staff member of the need and provided at least two days advance notice is given.

II. Who is eligible. Payment may be made for medically necessary nonemergency transportation for persons eligible for Title XIX benefits. Eligible persons can be identified by the buff colored medical eligibility card they receive monthly.

III. What services are provided. Payment may be authorized for medically necessary nonemergency transportation by Title XIX funds subject to the following conditions:

A. Relationship with social services. The social services worker shall be responsible for the arrangement of medically necessary nonemergency transportation. Title XIX funds for medically necessary nonemergency transportation shall serve to supplement the recipient's preexisting transportation resources, rather than replace them. Therefore, the social service worker shall not attempt to use Title XIX funds unless:

1. The social service worker receives a request of assistance in securing transportation and explores with the recipient his/her own ability to locate a transportation resource. In exploring with the client, his or her ability to locate a transportation resource, the worker should determine if the client has a friend, relative, or neighbor who can provide the transportation, does the client own his/her own vehicle, or does the client have coverage under any type of insurance which would pay for transportation. The worker shall accept the client's statement as to his/her ability to locate transportation.

2. The social services worker, after determining the client does not have the resources available to provide his/her own transportation, assesses the available community resources. These resources may take the form of existing Title XX contractors, providers (public or private) who exist in the community who give transportation at no cost, or State employees driving their own vehicles or State vehicles.

Only after steps 1 and 2 have been taken and all other available resources have been explored shall the social services worker authorize Title XIX funds to provide medically necessary nonemergency transportation.

B. Relationship with Title XX funds.

1. In order to meet the requirement as outlined in III, A, 2, the worker shall explore the feasibility of using resources funded by Title XX. Before authorizing the use of Title XIX funds to provide medically necessary nonemergency transportation, the worker shall ensure that the use of a Title XX funded resource is not feasible because of one or more of the following:

a. No Title XX provider exists in the area.

b. No title XX provider exists in the area which serves the particular category of recipient who is requesting the transportation service.

c. All Title XX providers which exist in the area cannot provide transportation which is appropriate to meet the recipient's needs.

d. All Title XX providers existing in the area, which can provide appropriate transportation, are at maximum operating capacity under the funds allocated in their Title XX contract and are unable to meet a recipient's need.

2. A Title XX provider may be reimbursed for the provision of medically necessary nonemergency transportation with Title XIX funds when the conditions as outlined in III, B, 1, b, c, or d are met and the Title XX transportation provider participates in the Title XIX program. In assuring the conditions of III, B, 1, b, c, or d are met, the statement of the Title XX provider shall suffice, but under no circumstances are Title XIX funds to be used if a resource funded by Title XX is available and appropriate to meet the needs of the recipient.

C. Authorization of Title XIX funds. The social services worker shall, after exploring all other means of providing trans-

portation, authorize Title XIX funds to ensure the provision of medically necessary nonemergency transportation to Title XIX eligibles. When attempting to use Title XIX funds the social services worker shall verify the client's current eligibility for Title XIX benefits. After verification of the client's eligibility, the worker shall follow the below listed procedures for use of Title XIX funds in all areas.

1. All areas.

a. The worker shall determine if the client seeks transportation to a currently participating Title XIX medical provider for a currently covered Title XIX service. If the medical provider is not currently participating in the Title XIX program or if the medical service is not currently covered by Title XIX, Title XIX funds may not be authorized to provide transportation. Local offices will be provided with a quarterly updated list of eligible Title XIX providers and Title XIX covered services. The eligible recipient shall be given transportation to a Title XIX provider of medical services of his/her choice who is generally available and used by other members of the community (i.e., the desired service is unavailable to the area in which the client lives; therefore, it may be necessary to provide transportation outside of the area).

b. The worker shall issue to the eligible recipient a preauthorization form, which the client will use to obtain the needed transportation service.

IV. Conditions of participation and billing procedures.

A. Condition of participation. Payment will be made to providers of medically necessary nonemergency medical transportation who participate in the Medical Assistance Program. Local office staff shall refer all parties interested in becoming providers to the fiscal intermediary to apply for participation.

B. Billing procedures.

1. Prior authorization of services. All expenditures of Title XIX funds for medically necessary nonemergency medical transportation shall be authorized via the local office social services worker, prior to the provision of service. The procedure for prior authorization of service shall be the same procedure as outlined in III, A, 1 and 2 and III, C, 1.

2. Payment mechanism.

a. Procedure for submitting bills.

1. The provider receives a preauthorization form from a Title XIX recipient and provides the service.

2. The provider of service submits the preauthorization form to the fiscal intermediary for reimbursement.

3. The fiscal intermediary processes the payment forms and forwards reimbursement to the transportation provider in a timely manner.

b. Rate of reimbursement. Providers of services shall be reimbursed at the provider's usual rate for such services as established by the Office of Family Security, minus the amount which is covered by any third party coverage the client may have. In instances in which the provider of services has no usual rate for services, the reimbursement shall be based upon mileage travelled. The rate shall be the same rate as is paid State employees for the use of their personal vehicle for job oriented activities.

This action shall be taken pursuant to R.S. 49:953B. Copies of the emergency rule are available for public examination at the Department of Health and Human Resources, Office of Family Security, 755 Riverside North, Baton Rouge, Louisiana.

William A. Cherry, M.D., Secretary
Department of Health and Human Resources

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 adopted effective October 1, 1978, policy to provide adult denture service through the Louisiana Medical Assistance Program. The emergency rule was necessitated by State legislation which mandated an October 1 effective date.

The proposed policy reads as follows:

I. Adult dentures. Only those services specified as allowable under the Adult Dental Program are reimbursable and then only under those conditions as described in Section V. In general, it provides for the construction of complete dentures and for the repair and relin of complete or partial dentures. Although the same services are available to Early and Periodic Screening, Diagnosis and Treatment (EPSDT) eligibles (under the age of twenty-one years) a different fee schedule as well as different program guidelines prevail for the adult program.

The provider will be paid his usual and customary fee or that contained in the Maximum Fee Schedule V-D, whichever is less.

The Office of Family Security's payment for covered services must be accepted as payment-in-full. Payment for those services which are not covered by the program, e.g., extractions, fillings, partial dentures, etc., may be made by the patient. This however, is a private matter between the patient and the dentist; the Office of Family Security assumes no responsibility for these financial transactions.

II. Providers authorized to participate. Providers are limited to those dentists which are duly licensed and authorized to practice dentistry in any of the United States. When a dental provider is enrolled in the Title XIX EPSDT Program, it is necessary for him to indicate his willingness to also participate in the Title XIX Adult Denture Program.

III. Who is eligible for adult dentures. Individuals twenty-one years of age and over who are identified in Part 19-105, Sections A and C are eligible for the Adult Denture Program.

Eligibility for dental services in the Title XIX Adult Denture Program requires that the Medicaid patient be referred by the Office of Human Development to the provider. The local office shall have a quarterly quota of denture referrals forwarded from State Office. The recipient will be given the dental claim form at the referral source, the Office of Human Development. The service unit completes the first two short forms of the claim form for their referral purposes. The recipient will bring the four copies of Form 392-106 to the dental provider. This indicates that the patient has been referred by the service worker, Office of Human Development.

The Office of Family Security shall assure the eligibility of the denture screening service when it is rendered in the month of the referral. In situations where the screening is not completed in the referral month, it is incumbent on the provider to verify current eligibility by viewing medical eligibility card for the month of screening.

In those cases where a long range plan of treatment necessitates visits from one calendar month to the next, continuing eligibility must be verified by reviewing the patient's Medicaid I.D. Card for each month of treatment. Dental services can then be provided to the end of that calendar month.

IV. Prior authorization evaluation of adult dentures request. To establish a more effective control in the authorization of services, a second examination of certain patients by regional dental consultants may be performed prior to preauthorization to ascertain if the requested services are within the scope of benefits of the program. Some patients will be selected randomly for this review while

others will be selected when a question arises in the preauthorization determination.

The treating dentist, as well as the patient, will be notified if the patient is designated for a screening prior to authorization. The screening will be done in the office of a regional consultant dentist. This regional consultant dentist will be appointed by the Office of Family Security upon recommendation of the professional dental societies.

The final preauthorization determination will be made by the in-house dental staff of the Office of Family Security based on the findings and recommendations of the regional consultant dentist.

V. Dental services covered under adult denture program.

A. Complete dentures. Prior authorization is required for all complete dentures. Authorization is obtained by submitting a treatment plan on Form 392-106. All missing teeth must be indicated and the request must be accompanied by Form 550 (certification of need for denture). A minimum of five mounted periapical x-rays of the edentulous arch showing there are no retained roots or impacted teeth and two periapical x-rays of the opposing arch, if the dentition is present, to show that the denture will have balance, must accompany a treatment request. Prior authorization requests are to be submitted to Dental Department, Office of Family Security, Box 44065, Baton Rouge, Louisiana 70804.

Complete dentures will be authorized only in those instances in which the patient has a totally edentulous arch. If there are teeth to be extracted, the request for denture should not be initiated until all extractions have been completed and the tissues have healed sufficiently enough to support a denture without necessitating a relin for at least a year. Immediate dentures are not a benefit of the program. A denture will not be authorized if there are insufficient teeth in the opposing arch to provide occlusal balance. This balance can be supplied by either a prosthetic appliance or natural dentition that provides at least four or more posterior teeth being distributed at least two to each side of the arch. The balancing occlusion must be judged to be able to provide adequate balance for at least five years. Only one denture is allowed in a five year period.

Minimum standards for construction of complete denture prostheses.

1. Visual diagnostic examination—Long-standing edentulous patients should be carefully evaluated to determine if the patient is emotionally and/or physically able to adapt to the utilization of dentures and to determine if the patient actually wants the dentures (many times their requests for services are made at the urging of relatives or friends for strictly cosmetic purposes). The patient's oral cavity should be examined for abnormalities such as tori, neoplasms, anatomical anomalies, systemic manifestations present in the mouth, etc.

2. Radiographic examination—To determine whether retained roots on erupted teeth, foreign bodies or diseases are present, a minimum of five periapical x-rays of the edentulous arch and two of the opposing arch, if dentition is present, must be submitted with preauthorization requests.

3. Preliminary impressions—Make first impression of both upper and lower jaws.

4. Stone models—Make upper and lower jaw models from the impressions.

5. Special trays—Construct special contoured container to hold final impression material in a specific recipient's mouth.

6. Final impression—Make final impressions for the construction of denture.

7. Working models—Make final models for fabrication of dentures.

8. Base plates—Adapt and construct bite blocks on model.

9. Centric relations of jaws—Take preliminary working relationship of upper and lower jaws.

10. Mounting models for articulation—Attach stone models to hinge device to duplicate movements of recipient's mouth.

11. Set up of teeth—Set teeth in proper alignment on models of the jaws mounted on articulator by provider or according to prescription of provider by laboratory.

12. Try in of set up—Set up teeth in wax for trial in recipient's mouth.

13. Processing of dentures—Process and polish set up in dental office or laboratory under heat and pressure. Pour technique is acceptable.

14. Delivery of denture—Fit and adjust denture for comfort, function and esthetics.

15. Adjustments—Provide all necessary adjustments for a period of six months in order to make the appliance functional and comfortable.

16. All material must meet American Dental Association specifications.

B. Denture reline. Complete and partial denture relines are allowable only if one year has elapsed since the denture was constructed or last relined. Only one reline is allowed in a five-year period. Reline of existing dentures must be given priority over the construction of new dentures, if it is judged that the existing dentures are serviceable for at least five years. Chairside relines (cold cure acrylics) are not reimbursable.

Prior authorization is required for all denture relines and is obtained by submitting the request on Form 392-106, indicating

which denture is to be relined. Submit all requests to the Dental Department, Office of Family Security, Box 44065, Baton Rouge, Louisiana 70804.

Minimum standards of procedure for reline.

1. All tissue bearing areas of the denture or saddle must be properly relieved to allow for the reline material.

2. Occlusal vertical dimension and centric relationship must be retained or established if lost.

3. Relines must be flaked and processed under heat and pressure in a commercial or office laboratory.

4. Relines must be finished in a workmanlike manner, must be clean, and must exhibit a high gloss void of scratches, abrasions, and rough spots.

C. Denture repairs. Repairs of complete and partial dentures are allowable and do not require preauthorization provided the repair makes the denture fully serviceable and eliminates the need for a new denture unit. A repair is allowable in conjunction with the reline for the same recipient as long as this makes the denture fully serviceable. However, if these services are submitted on the same claim, prior authorization is necessary since relines need prior authorization. Claims for denture repairs are to be submitted on Form 392-106 to the Dental Department, Office of Family Security, Box 44065, Baton Rouge, Louisiana 70804. The nature of the service must be fully described on the claim form. This includes the type of fracture and/or the identity of the teeth replaced or added to the denture unit.

Minimum standards of procedure for repair service.

1. Repairs must be processed in a commercial or office dental laboratory.

Procedure Numbers	Procedures	Maximum Fee	The Following Codes Will be Used for Describing Procedures
Examinations			
0110	Initial examination including x-rays	\$ 30.00	Exam.
9430	Consultant evaluation examination	12.00	Eval. Exam.
Dentures			
05110	Complete upper denture	175.00	CUD
05120	Complete lower denture	175.00	CLD
Relines			
05750	Reline complete upper denture	70.00	Reline CUD
05751	Reline complete lower denture	70.00	Reline CLD
05760	Reline upper partial denture	70.00	Reline UP
05761	Reline lower partial denture	70.00	Reline LP
Repairs			
05610	Repair broken complete upper denture, no teeth damaged	20.00	Repair CUD
05611	Repair broken complete lower denture, no teeth damaged	20.00	Repair CLD
05612	Repair broken upper partial denture, no teeth damaged	20.00	Repair UP
05613	Repair broken lower partial denture, no teeth damaged	20.00	Repair LP
05620	Repair broken complete upper denture and replace tooth or teeth damaged	35.00 8.00 each additional	Repair CUDT
05621	Repair broken complete lower denture and replace tooth or teeth damaged	35.00 8.00 each additional	Repair CLDT
05622	Repair broken upper partial denture and replace tooth or teeth damaged	35.00 8.00 each additional	Repair UPT
05623	Repair broken lower partial denture and replace tooth or teeth damaged	35.00 8.00 each additional	Repair LPT
05630	Replace teeth—lost or damaged, denture not broken	20.00 8.00 each additional	Replace tooth/teeth
05680	Replacing clasp on partial denture	35.00	Replace clasp

2. Repairs must make the denture fully serviceable, retaining actual vertical dimension and centric relation.

3. The denture must be finished in a workmanlike manner, must be clean and must exhibit a high gloss polish without scratches, abrasions or rough spots.

D. Adult Denture Program maximum fee schedule.

VI. Interruption of adult denture treatment. In the event that a patient loses eligibility or discontinues treatment during the course of denture construction, partial payment will be made to the provider for that portion of the treatment which has been completed. For purposes of determining the amount to be paid to the provider under these circumstances, the construction process is divided into four stages: initial impression, final impression, try in, and delivery. The provider will be reimbursed one-fourth of the total denture fee for each stage completed. If treatment is interrupted just prior to denture delivery, the entire fee will be paid upon submission of a laboratory bill indicating that denture processing had been completed.

This action shall be taken pursuant to R.S. 49:953 B. Copies of the emergency rule are available for public examination at the Department of Health and Human Resources, Office of Family Security, 755 Riverside North, Baton Rouge, Louisiana.

William A. Cherry, M.D., Secretary
Department of Health and Human Resources

Rules

RULES

Department of Commerce Board of Architectural Examiners

The Louisiana State Board of Architectural Examiners operates pursuant to the below listed rules, adopted under the authority of Sections 144 and 147 of R.S. 1950, Title 37, Chapter 3 as amended through 1972.

LAC 11-14:1 Organization

§1.1 The name and address of the person designated by the Board upon whom service of process may be served in judicial procedures against the Board is the Director and /or Secretary at the address of the official place of business of the Board.

§1.2 The Board shall elect a President and Secretary-Treasurer at each August meeting, each to hold office until their successors shall have been elected. The term of office shall be for one year beginning the first day of January the ensuing year.

§1.3 The President shall preside at all meetings; appoint all committees; sign all certificates of registration issued; sign all checks, with the Director; and perform all other duties pertaining to his office.

§1.4 The Secretary-Treasurer shall with the assistance of such executive and clerical help as may be required, keep a record of all the proceedings of the Board and of all monies received or expended by the Board, which record shall be open to public inspection at all reasonable times. He shall sign all certificates of registration.

§1.5 The Board may employ such executive, stenographic, and office assistance, including a Director, as is necessary and such professional assistance at examinations as is required, and shall rent office space as necessary to house the staff and records.

§1.6 The Board may employ a Director who shall have possession on behalf of the Secretary-Treasurer, of all the official records of the Board and who may, under the supervision of the Board perform such administrative and ministerial duties as the Board authorizes.

§1.7 In discharging its responsibilities, the Board may engage private counsel, or as prescribed in law utilize the services of the Attorney General.

§1.8 There shall be at least four regular meetings each year. If the Director or the President of the State Board of Architectural Examiners, hereinafter called the President, decide additional meetings are necessary, a special meeting may be called by due notification of all members of the Board. A special meeting of the Board shall be called by the President upon the request of any two members by giving at least a ten days written notice to each member of the time and place of such meeting.

§1.9 Unless required otherwise, by law or by these rules, *Robert's Rules of Order* shall be used in the conduct of business by the Board.

§1.10 Three members of the Board shall constitute a quorum, but official action may not be taken upon any question unless at least three members vote in accord.

§1.11 The minutes of all meetings shall be prepared and signed by the Secretary-Treasurer and the President at the next regular meeting. As soon as the minutes are prepared, the Director shall mail them to the membership for their comments.

§1.12 Among other official records required by law, or by rules of other agencies in support of law, there shall be kept in the Board offices accurate and current records including, but not limited to:

§1.12.1 A record containing, in proper order, minutes of all meetings of the Board.

§1.12.2 A record containing the name and registration number of all persons to whom certificates of registration are issued, the last known address of all registrants, and a record of all current renewals effected through annual registrations.

§1.12.3 An individual file for each registrant containing the original application, relevant verification and evaluation data, records of examinations and grades, date of original registration and a record of annual registrations and fees received after original registration, and when applicable, records of alleged violations, suspensions, and revocations.

§1.12.4 A system of record keeping correctly and currently indicating funds budgeted, committed, spent, and remaining, as well as projections of appropriate requests for consideration in budget development.

§1.13 The Board shall maintain membership in the National Council of Architectural Registration Boards (NCARB) and its Regional Conference. Up-to-date information on the examinations syllabus and policies adopted from time to time by NCARB shall be developed by the staff, and reported to the Board regularly.

§1.14 The Board will cooperate with NCARB in furnishing transcripts of records, giving examinations and rendering other assistance calculated to aid in establishing uniform standards of professional qualification throughout the jurisdiction of NCARB.

§1.15 If funds are available the Board shall pay the expenses of the President and board members attending the NCARB national meetings and the Southern Conference meetings. To be eligible for reimbursement of expenses incurred in connection with attending these meetings, a delegate to a NCARB meeting shall attend a minimum of five sessions, one of which shall be the final session. Delegates to a Southern Conference meeting shall attend all sessions.

LAC 11-14:2 Applications for Examination

§2.1 Applications will be received at the office of the Board and shall be filed no less than sixty days prior to date of examination.

§2.2 The applicant will be responsible for distributing requests for references.

§2.3 If an applicant fails to take the examination at the time for which he has applied, his fee will be returned and he will be required to file a new application, for future examination.

§2.4 The Board may request additional evidence or information, or a personal appearance before the Board. Failure to comply within thirty days from the date of written request by the Board may be considered as just and sufficient cause for disapproval of the application.

§2.5 Personal appearance before the Board, if required, shall be at the time and place designated by the Board.

LAC 11-14:3

Registration and Examination Requirements

§3.1 If an applicant has passed either the written or senior examination given by the NCARB, the Board will accept his Council certificate as evidence of qualification for registration.

§3.2 Degrees in landscaping, city planning or allied courses will not be accepted in lieu of a degree in architecture, except as set forth in the NCARB Table of Equivalents for Education.

§3.3 The NCARB requirements for determining the qualifications and eligibility of an applicant to take the written examinations are adopted by the Board.

§3.4 The qualifying test and the professional examination (including a design competency test), as prepared by the NCARB are adopted by this Board as the examinations required to obtain registration.

§3.5 Commencing in 1973 and continuing thereafter a qualifying test for applicants with required experience, whose basis for registration is other than a professional degree in architecture from a National Architectural Accrediting Board (NAAB) accredited college, will be held annually in the month of June. A professional examination for applicants with required experience, whose basis for registration consists of a professional degree in architecture from a NAAB accredited college and those having passed a qualifying test, will be held annually in the month of December. The design competency test will be held annually in the month of June.

LAC 11-14:4 Registration Procedure

§4.1 To obtain information regarding registration to practice architecture in Louisiana the applicant shall write the Board, giving a brief statement of his education, experience, and professional practice. He will then receive instructions on the procedure to follow.

§4.2 Architects who are registered in other states may apply for registration in Louisiana on the basis of NCARB (blue cover) certificate, provided the examination taken and the record of the applicant meets the requirements for registration of architects in Louisiana. The Board will act upon the application at the next Board meeting. If the decision of the Board is favorable, a certificate of registration will be issued.

§4.3 Upon granting registration and issuance of a license to practice architecture, a copy of the Licensing Law and the Rules of the Board shall be forwarded to the registrant.

§4.4 Certificates of registration will be issued to individuals only, and to such individuals only as have met statutory registration requirements through established Board Rules and Regulations. No certificate of registration will be issued to any firm, partnership, corporation, or other group of persons.

§4.5 Each holder of a certificate shall display the certificate in a conspicuous place in his principal office or place of business, and be prepared to substantiate annual registration renewal for the current year.

§4.6 A replacement certificate will be issued to a registrant to replace one lost or destroyed provided the current annual registration renewal is effective, the registrant makes proper request and submits an acceptable explanation of the loss or destruction of the original certificate, and the registrant pays a fee of twenty-five dollars.

§4.7 Registrants sixty-five years of age or older, who have retired from active practice and /or other related professional activities, may request emeritus status. The annual renewal fee for approved emeritus registrants will be five dollars. Revocation and

reinstatement rules will otherwise apply to emeritus registrants, just as they do to all other registrants.

LAC 11-14:5 Administration

§5.1 Every person authorized to practice architecture by a certificate of registration shall obtain an official seal or stamp with which to identify all drawings, specifications, and other documents of service issued from the registrant's office for use in this state.

§5.2 All registrants must affix their seal or stamp, signature, and registration number to the original index cover sheet identifying all drawings covered or bound and to the original cover and index page identifying all specification pages covered or bound, and to other documents of service as well, which are developed and issued under direction or authorship of the registrant.

§5.3 In the absence of index sheets or covers identifying all drawings or pages covered or bound, all original drawings and specifications must have the seal or stamp of the registrant responsible affixed thereto, and the first sheet of each shall have the seal or stamp, signature, and registration number.

§5.4 It is recognized that in certain fields of practice there is a broad overlap between the work of architects and engineers. This is particularly true in the field of buildings and similar structures. It is recognized that an architect, who has complied with all of the current laws of Louisiana relating to the practice of architecture has a right to engage in activities properly classifiable as professional engineering insofar as it is necessarily incidental to his work as an architect. Likewise, it is recognized that the professional engineer, who has complied with all of the current laws of Louisiana, and is properly registered in that branch of engineering for which he may be qualified, has a right to engage in activities classifiable as architectural insofar as is necessarily incidental to his work as an engineer. Furthermore, the architect or the professional engineer, as the case may be, shall assume all responsibility for compliance with all laws or ordinances relating to the designs of projects with which he may be engaged.

LAC 11-14:6

Titles, Firm Names, and Assumed Names

§6.1 Persons holding certificates of registration issued by this Board are authorized to employ the title "architect" and use the word architect, or various constructions thereof, in describing or identifying services he solicits, offers, or executes. No other person, firm, partnership, corporation, or groups of persons may employ the title "architect" or constructions of the work architect to describe persons or services, nor do such unregistered individuals or groups have authority to solicit, offer, or execute architectural services in this state.

§6.2 Without lawful authority to practice architecture in Louisiana, organizations of people are not authorized to solicit or execute architectural services; such groups of persons organized in practice are dependent on the authority of individual registrants responsible to this Board.

§6.3 Corporate practice in architecture is permissible under the statutes, when lawfully constituted, but only then upon the authority of individual registrants responsible to this Board for the acts and conduct of the corporate practice.

§6.4 The person signing a contract or in any manner agreeing on behalf of himself, a proprietorship, partnership, corporation, or other business entity to perform or to furnish architectural services must be a licensed architect who has the right and authority to exercise control over the work to be performed, shares in profits, losses and responsibility for incurred liabilities.

§6.5 Thus, that responsibility of this Board to safeguard the "life, health, and property, and the public welfare" against the irresponsible practice of the profession of architecture is vested in the qualification and responsibility of registrants who are accountable individually.

§6.6 Registrants holding current certificates of registration may organize or engage in any form of individual or group practice of