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# Executive Orders

## EXECUTIVE ORDER JML 25-100

### Honoring Charlie Kirk—Flags At Half-Staff

WHEREAS, Charlie James Kirk was murdered in an act of senseless violence on September 10, 2025;

WHEREAS, Charlie was known across the world as a leader in freedom of thought and free speech;

WHEREAS, Charlie spoke passionately and courageously to young people across the world about God, Family, and Country;

WHEREAS, at the age of 18, he founded Turning Point USA, a grassroots organization that seeks to identify, educate, train, and organize students to promote the principles of free speech, free markets, and limited government;

WHEREAS, Turning Point USA has thousands of members across the country, including at Louisiana colleges, universities, and high school campuses;

WHEREAS, Charlie visited Louisiana several times, sharing his thoughts and ideas with our students and citizens, and he planned to visit Louisiana State University on October 27, 2025;

WHEREAS, his work inspired countless students to think and speak freely and engage in meaningful dialogue;

WHEREAS, through social media and his podcast, he demonstrated his wisdom, intellect, and passion for liberty to the millions of people who followed him;

WHEREAS, Charlie stood for the principles that made this country great: liberty, freedom, faith, and prosperity;

WHEREAS, it is important to recognize that the idea of a representative republic is to allow for the exchange of ideas and differences that can be debated in a peaceful setting so that we do not have this type of political violence in our streets;

WHEREAS, in America, free speech should be welcomed and celebrated on our college campuses, and they are not places for such horrific acts of violence;

WHEREAS, Charlie's words and actions will remain in our memories as a beacon of freedom and hope, and his legacy will live on in the hearts of the millions of young people that he impacted;

WHEREAS, Charlie was a steadfast Christian, a beloved husband to Erika, and a father to two young children;

WHEREAS, this terrible tragedy has left the Kirk family, the Turning Point USA family, Louisiana, and the nation, in mourning with heavy hearts and deep sorrow;

WHEREAS, Charlie was a true American Patriot in every sense of the word;

WHEREAS, as a nation, we must come together to support Charlie's family and all of those impacted, ensuring they know they are not alone in their grief and that we stand united against such senseless acts of violence; and

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

Section 1: To honor and remember Charlie Kirk, the flags of the United States and the State of Louisiana shall be

flown at half-staff over the State Capitol and all state buildings from sunrise to sunset on September 11-12, 2025.

Section 2: I request that you join Sharon and I as we pray for Charlie, his family, his friends, and the students of Turning Point USA chapters across Louisiana and our great nation. Let us come together in solidarity, extending our deepest condolences and unwavering support to those who have been affected by this tragedy.

Section 3: I request that in the coming days and weeks, if you want to honor Charlie Kirk, that you fly an American flag and be willing to stand up for the values that make our country great, with the respect and dignity shown by Charlie;

Section 4: This Order is effective upon signature and shall remain in effect until sunset, on September 12, 2025, or until amended.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 10<sup>th</sup> day of September, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR

Nancy Landry  
Secretary of State  
2510#067

## EXECUTIVE ORDER JML 25-101

### Renewal of State of Emergency Office of Broadband Development and Connectivity

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

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

WHEREAS, pursuant to R.S. 29:274 (B)(1), Governor Jeff Landry declared a state of emergency on June 20, 2025, in JML 25-071, which is in effect through Sunday, July 20, 2025;

WHEREAS, JML 25-071 has been renewed and extended every thirty (30) days through JML 25-091 which is in effect through Sunday, September 14, 2025;

WHEREAS, La. R.S. 29:724 authorizes the Governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would



in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, the Office of Broadband Development and Connectivity was created to, among other things, promote and encourage broadband adoption for households that have not accessed services, to encourage the assistance of the private sector, including broadband service providers, to effectuate the deployment and access to broadband and other connectivity services to all residents of the state, and to apply for, receive, and administer grants or financial assistance from persons or government agencies;

WHEREAS, the State of Louisiana, through the Office of Broadband Development and Connectivity, has long been a model for broadband expansion for the country by establishing the State's first broadband deployment program, the Granting Unserved Municipalities Broadband Opportunities ("GUMBO") grant program;

WHEREAS, the Office of Broadband Development and Connectivity ("ConnectLA") currently provides administrative duties and compliance processes for the GUMBO 1.0 grant program, set to serve over 60,000 locations with high-speed, reliable, internet service using up \$176 million in Capital Projects Funds from the U.S. Treasury by December 2026;

WHEREAS, the State of Louisiana and ConnectLA embarked on a challenge to continue to bridge the digital divide by participating in the Broadband, Equity, Access, and Deployment ("BEAD") program administered by the U.S. Department of Commerce;

WHEREAS, the Notice of Funding Opportunities that was released by the U.S. Department of Commerce stipulated numerous steps and requirements to unlock \$1.355 billion in funds to be allocated to the State of Louisiana through this program;

WHEREAS, the State of Louisiana became the first state in the nation to receive approval of the Initial Proposal document from the U.S. Department of Commerce in December of 2023;

WHEREAS, this approval from the U.S. Department of Commerce set a one year timeline to complete a Final Proposal and provided the state the ability to complete its competitive grant process to serve the remaining locations within the state with broadband services;

WHEREAS, the State of Louisiana had become the first in the nation to release results from the program in November of 2024 and secure federal approval in January of 2025 for the Final Proposal, representing a comprehensive BEAD plan totaling \$1.355 billion, through the GUMBO 2.0 program;

WHEREAS, this historic investment represents a generational opportunity to deliver high-speed internet access to approximately 140,000 unserved or underserved locations across all 64 parishes;

WHEREAS, the U.S. Department of Commerce recently completed a review of the BEAD program to offer changes to streamline the program for all state broadband offices across the nation;

WHEREAS, a new policy notice was released on June 6, 2025, to expedite the BEAD award process and ensure all states have completed a "Benefit of the Bargain" grant round;

WHEREAS, the State of Louisiana must complete all new actions and redo the entirety of the bidding process within a 90 day timeframe from the release of the policy

notice guidance from the U.S. Department of Commerce, with all results due by September 4, 2025;

WHEREAS, strict compliance with the requirements set forth in La. R.S. 51:2370.21, et seq., do not permit ConnectLA to complete the entirety of this process as required by the U.S. Department of Commerce by September 4, 2025.

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

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

Section 2: Pursuant to La. R.S. 29:724(D)(1), the following provisions are hereby suspended: La. R.S. 51:2370.21-2370.35 and LAC 4:XXI.Chapters 11-17.

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

Section 4: This Order is effective from Friday, September 12, 2025, and shall continue in effect until Sunday, October 12, 2025, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 12<sup>th</sup> day of September, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#068

#### EXECUTIVE ORDER JML 25-102

##### Louisiana Lightning Speed Initiative

WHEREAS, prior to 2024, Louisiana's economy consistently ranked among the lowest-performing in the nation and lagged behind its Southern peers, evidenced by a net loss of 12,000 jobs from 2016 to 2023, while nearby states such as Texas, Florida, Tennessee, and Mississippi experienced sustained job growth and secured transformational economic development investments;

WHEREAS, under the leadership of my administration and Louisiana Economic Development ("LED") Secretary Susan Bourgeois, the state has secured historic economic development agreements with global employers including Meta, Hyundai, Woodside Energy, and CF Industries—agreements that will collectively generate billions in capital investment and create thousands of high-quality jobs for Louisiana residents;

WHEREAS, these accomplishments reflect Louisiana's current economic momentum and reflect growing national confidence in the state's trajectory, as affirmed by Louisiana's

rise from 31<sup>st</sup> to 18<sup>th</sup> place in the 2025 ALEC-Laffer State Economic Outlook Index;

WHEREAS, in 2025, LED, with approval from the LED Partnership Advisory Committee, adopted a Comprehensive Statewide Strategic Plan to serve as a roadmap for sustaining growth, driving innovation, and enhancing talent attraction and retention;

WHEREAS, achieving competitive parity with leading Southern states in economic development requires a unified, coordinated effort across all state agencies;

WHEREAS, economic development does not just encompass new businesses, but also supports and incentivizes investments in the hundreds of thousands of businesses who already call Louisiana home;

WHEREAS, the Comprehensive Statewide Strategic Plan calls for Louisiana to establish an initiative to support a whole-of-government approach to economic development to facilitate expeditious and coordinated efforts on LED projects to mitigate time, risk, and money;

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

Section 1: I hereby direct the Secretary of LED (the “Secretary”) to launch the Louisiana Lightning Speed Initiative, aimed at breaking down silos, improving responsiveness, and expediting interagency coordination on economic development matters. This initiative will ensure challenges and delays are identified and addressed in real time, advancing Louisiana’s competitiveness through a streamlined and accelerated approach.

Section 2: The Secretary shall work with the following agencies to designate an individual from each agency to serve as a liaison for the Louisiana Lightning Speed Initiative:

1. The Department of Environmental Quality;
2. The Department of Energy and Natural Resources / Department of Conservation and Energy;
3. The Louisiana Department of Health;
4. The Louisiana Department of Education;
5. The Louisiana Board of Regents;
6. The Department of Transportation and Development;
7. The Department of Revenue;
8. The Division of Administration;
9. The Office of Technology Services;
10. The Louisiana Public Service Commission;
11. The Louisiana Workforce Commission;
12. The Louisiana Department of Veteran Affairs;
13. The Office of State Fire Marshal;
14. The Coastal Protection and Restoration Authority;
15. Louisiana Community and Technical College System (LCTCS); and
16. The Office of the Governor.

Section 3: The Secretary, LED, and the designated agencies shall advance priority economic development initiatives, ensuring they receive focused attention and coordinated support across state government. In coordination with the designated agencies, the Secretary and LED shall work collaboratively to align policy, permitting, infrastructure, workforce, and regulatory processes to

accelerate and sustain economic development statewide, positioning Louisiana to outpace competing states.

Section 4: This order is effective upon signature of the Governor, and it shall remain in effect until amended, modified, rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 16<sup>th</sup> day of September 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#069

## EXECUTIVE ORDER JML 25-103

### State Government’s Use of AI

WHEREAS, innovations technologize the way in which the state serves the public;

WHEREAS, recent innovations of artificial intelligence (“AI”) and generative AI are transforming commerce, work, and society;

WHEREAS, these innovations will technologize the way in which the state will serve the public in the near future;

WHEREAS, the output and benefit of AI is dependent upon the AI’s proprietary algorithms, models, and user input;

WHEREAS, the effectiveness and reliability of AI systems are directly dependent upon the quality, accuracy, completeness, and integrity of the data on which they are provided, recognizing that poor-quality inputs produce poor-quality outputs (“Garbage In, Garbage Out”);

WHEREAS, it is the goal of the State of Louisiana to ensure the use of AI by government agencies is responsible, ethical, beneficial, and trustworthy;

WHEREAS, the office of technology services has authority over all information technology systems and services for agencies in the executive branch of state government except for agencies excluded by R.S. 39:15.1;

WHEREAS, the Chief Information Officer of the office of technology services serves as the spokesperson for policies, standards, deployment, strategic and tactical planning, acquisition, management, and operations in keeping with industry trends; and

WHEREAS, the Chief Information Officer of the office of technology services is the principal advisor to the governor and executive cabinet on information technology policy, including the acquisition and management of information technology and resources.

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

Section 1: Definitions

Unless the context of this Order clearly indicates otherwise, the words and terms used in this Order shall be defined as follows:

A. "Agency" means a state department, office, division, agency, commission, or board.

B. "Agency Head" means the chief executive or administrative officer of an agency who exercises supervision over the agency.

C. "Artificial Intelligence" or "AI" means a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments. Artificial intelligence systems use machine and human-based inputs to: perceive real and virtual environments; abstract such perceptions into models through analysis in an automated manner; and use model inference to formulate options for information or action.

D. "Chief Information Officer" means the state chief information officer appointed by the Governor pursuant to R.S. 39:15.2.

E. "Confidential Data" means information whose unauthorized disclosure could cause serious, and adverse effects on an agency, third party, supplier, individual, or the State of Louisiana.

F. "Proprietary Information" means any code, pattern, formula, design, device, method, or process which is proprietary or trade secret information which has been submitted to a public body by the developer, owner, or manufacturer of a code, pattern, formula, design, device, method, or process in order to obtain or retain approval of such code, pattern, formula, design, device, method, or process for sale or use in this state.

G. "Restricted Data" means data that requires strict adherence to legal obligations such as Federal, State, or local law, specific contractual agreements, or data specifically designated as restricted data in applicable state or agency policy.

Section 2: No agency shall procure or license the use of AI prior to December 15, 2025.

Section 3: The Chief Information Officer, or the agency head for agencies outside the scope of the office of technology services, must issue a policy on the acquisition of artificial intelligence and a policy on information management related to AI use and application no later than December 15, 2025.

Section 4: The Chief Information Officer, or the agency head for agencies outside the scope of the office of technology services, shall inventory all contracts regarding the use of AI, as well as all use cases of AI currently in place.

Section 5: Until the policies mandated in Section 3 are implemented, all agencies are prohibited from inputting into any AI system:

- A. Personal identifying information of members of the public
- B. Specific information about tangible or real property
- C. Proprietary information
- D. Confidential data
- E. Restricted data
- F. Any information that would otherwise undermine the cybersecurity or physical security of the state.

Section 6: Prior to the use of any dataset in an AI system, agencies shall review, analyze, and, as necessary, cleanse such data to identify and mitigate errors, omissions, duplications,

and other deficiencies that may compromise the reliability or integrity of AI outputs.

Section 7: All departments, commissions, boards, offices, entities, agencies, and officers of the State of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with implementing the provisions of this Order.

Section 8: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 16<sup>th</sup> day of September, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#070

### EXECUTIVE ORDER JML 25-104

#### Small Purchase Procedures

WHEREAS, the Louisiana Procurement Code, in R.S. 39:1596, authorizes the governor to establish procedures and amounts for the procurement of small purchases with the caveat that "procurement requirements shall not be artificially divided so as to constitute a small purchase under this Section";

WHEREAS, the small purchases threshold for all local government is sixty thousand dollars (\$60,000);

WHEREAS, all local governments that purchase materials and supplies exceeding thirty thousand dollars (\$30,000), but not in excess of sixty thousand dollars (\$60,000), are required to obtain not less than three quotes pursuant to R.S. 38:2212.1;

WHEREAS, all local governments that purchase materials and supplies exceeding the sum of sixty thousand dollars (\$60,000) must advertise and let by contract to the lowest bidder pursuant to R.S. 38:2212.1.

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

Section 1: All departments, institutions, boards, commissions, budget units, and agencies of the executive branch of state government, and the officers and employees thereof, (hereafter "agency") shall observe, be guided by, and implement the specific directives on small purchase procedures set forth in this Order. This Order in no way affects or changes the purchasing authority delegated to an agency by the chief procurement officer as defined in R.S. 39:1556. No provision of this Order shall be construed as a limitation on the number of quotations to be solicited prior to making a purchase or procurement. Louisiana businesses, especially certified small entrepreneurships and certified veteran owned small entrepreneurships, should be utilized to the greatest extent possible when soliciting prices.

Section 2: Unless the context clearly indicates otherwise, the words and terms used in this Order shall be defined as follows:

A. A "small purchase" means (1) any procurement of supplies or operating services not exceeding \$60,000, or (2) any procurement of those items listed in Section 5 of this Order, which are exempt from the competitive sealed bidding requirements of the Louisiana Procurement Code, as provided in that Section.

B. "Small Entrepreneurship" means any individual, sole proprietorship, joint stock company, joint venture, or any other legal entity currently certified as a small entrepreneurship by the Department of Economic Development, in accordance with the Provisions of the Louisiana Initiative for Small Entrepreneurships (Hudson Initiative), R.S. 39:2006; or a for-profit business which has its principal place of business in Louisiana and is currently certified as a small and emerging business by the Department of Economic Development, in accordance with the Provisions of the Small and Emerging Business Development Program, R.S. 51:941, *et seq.*;

C. "Veteran Owned Small Entrepreneurship" means any individual, sole proprietorship, joint stock company, joint venture, or any other legal entity currently certified as a veteran or service-connected disabled veteran owned small entrepreneurship by the Department of Economic Development, in accordance with the provisions of the Louisiana Initiative for Veteran and Service-Connected Disabled Veteran Owned Small Entrepreneurships (The Veteran Initiative), R.S. 39:2171, *et seq.*;

D. "Authorized dealer" means a company that is specifically authorized by the manufacturer to sell and/or provide service for its products; and

E. "Louisiana authorized dealer" means a company that satisfies the requirements of a resident business as defined in R.S. 39:1556 and is specifically authorized by the manufacturer to sell and/or provide service for its products.

Section 3: The following items are not subject to the procedures set forth in this Order:

- A. Those items covered by an existing state contract; and
- B. Professional, personal, consulting and social (PPCS) service contracts.

Section 4: Except as otherwise provided in this Order, all small purchases shall be made in accordance with the following minimum procedures:

A. No competitive process is required for purchases not exceeding \$30,000 per single purchase transaction.

B. Price quotations shall be solicited from three (3) or more bona fide, qualified vendors for purchases exceeding \$30,000 but not exceeding \$60,000.

1. Quotations may be made by telephone, facsimile, email, printable electronic form, written, or other means and shall be awarded on the basis of the lowest responsive quotation unless such quotation is impracticable or unreasonable. Whenever possible, at least one (1) of the bona fide, qualified vendors shall be a certified small entrepreneurship or a certified veteran owned small entrepreneurship. Agency files shall document and list all solicited vendors and each vendor's contact person, summarize quotations received, indicate the successful vendor and state the reason why any lower quotation was rejected.

Agency files should also contain written confirmation of the quotation from the successful vendor.

2. When the price is determined to be reasonable, the requirement to solicit three (3) quotations may be waived when purchasing from a certified small entrepreneurship or a certified veteran owned small entrepreneurship. Reasonable is a best-value determination based on price, delivery, service, and/or any other related factors. This determination is to be maintained in the file.

3. The requirement to solicit at least one (1) certified small entrepreneurship or certified veteran owned small entrepreneurship is waived for procurements posted on LaPAC, Louisiana's internet-based system for posting vendor opportunities and award information.

Section 5: The following items are considered small purchases and may be procured in the following manner:

A. No competitive process is required for the following items:

1. Repair parts for equipment obtained from the original equipment manufacturer or an authorized dealer. A Louisiana authorized dealer shall be used if practicable. This provision does not apply to the stocking of parts.

2. Equipment repairs obtained from the original equipment manufacturer or an authorized dealer. A Louisiana authorized dealer shall be used if practicable.

3. Vehicle repairs not covered by a competitive state contract or the state fleet maintenance repair contract obtained from an authorized dealer. A Louisiana authorized dealer shall be used if practicable.

4. Vehicle body repairs covered by insurance recovery and in accordance with insurance requirements.

5. Livestock procured at public auction or from an individual which has purebred certification approved by the Department of Agriculture & Forestry.

6. Purchasing or selling transactions between state budget units and other governmental agencies.

7. Publications, including electronic publications, subscriptions, and web-based subscription services, and/or copyrighted materials purchased directly from the publisher or copyright holder.

8. Publications and/or copyrighted materials purchased by libraries or text rental stores from either subscription services or wholesale dealers which distribute for publishers and/or copyright holders.

9. Public utilities and services.

10. Prosthetic devices, implantable devices, and devices for physical restoration which are not covered by a competitive state contract.

11. Non-customized training, including educational instructor fees, and related resources (except equipment) used to enhance the performance of state employees and good standing of state agencies, including memberships in and accreditations by professional societies and organizations.

12. Procurements for clients of blind and vocational rehabilitation programs not covered by competitive state contract which are federally funded at a rate of at least 78.7%, regulated by Title 34, Parts 361, 363, 370, and 395 of the Code of Federal Regulations, and in accordance with OMB Circular A-102.

13. Materials, supplies, exhibitor fees, and exhibit booths for conferences, seminars, and workshops, or similar events (business, educational, promotional, cultural, etc.) for

participation in promotional activities which enhance economic development or further the department's mission, duties and/or functions, with the approval of the department secretary, or agency equivalent, if not covered by competitive state contract.

14. Wire, related equipment, time and material charges to accomplish repairs, or adds, moves, and/or changes to telecommunications systems not exceeding \$2,500.

15. Working class animals trained to perform special tasks, including but not limited to, narcotics detection, bomb detection, arson investigation, and rescue techniques.

16. Food, materials, and supplies for teaching and per course training not exceeding

\$60,000 where the purchasing, preparing, and serving of food are part of the regularly prescribed course.

17. Renewal of termite service contracts.

18. Purchase of supplies, operating services, or equipment for the Louisiana Department of Health, Office of Aging and Adult Services, Traumatic Head and Spinal Cord Injury Trust Fund Program. Although competitive bidding is not required under this paragraph, whenever practicable, three (3) quotations from bona fide, qualified vendors should be obtained. Whenever possible, at least one (1) of the bona fide, qualified vendors shall be a certified small entrepreneurship or a certified veteran owned small entrepreneurship.

19. Purchasing of clothing at retail necessary to individualize clients at state developmental centers in compliance with Federal Regulations for Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID).

20. Health insurance for the managers of Randolph-Sheppard programs, as defined by 20 U.S.C. §107, *et seq.*, and paid from income generated by unmanned vending locations.

21. Purchases made to resell as part of a merchandising program with the written approval on file from the secretary of the department, or agency equivalent, when it is not practical or feasible to obtain competitive price quotations.

22. Commercial Internet Service not exceeding \$1,500 per subscription per year.

23. Advertising, where permitted by law and the head of an agency or designee certifies that specific media is required to reach targeted audiences.

24. Scientific and laboratory supplies and equipment when procured by colleges and universities for laboratory or scientific research not to exceed \$60,000 per transaction.

25. Publication of articles, manuscripts, etc. in professional scientific, research, or educational journals/media and/or the purchase of reprints.

26. Livestock sperm and ova.

27. Royalties and license fees for use rights to intellectual property, such as but not limited to: patents, trademarks, service marks, copyrights, music, artistic works, trade secrets, industrial designs, domain names, etc.

28. Equipment moves by the original equipment manufacturer or authorized dealer to ensure equipment operation to original equipment manufacturer specifications, calibration, warrant, etc., not to exceed \$60,000 per transaction.

29. Mailing lists.

30. Art Exhibition rentals and/or loan agreements and associated costs of curatorial fees, transportation, and installation.

31. Registered breeding stock whose purchase price and quality has been approved by the Commissioner of Agriculture and Forestry and a specialist of Louisiana State University to be designated by the head of the College of Agriculture.

32. Other livestock whose purchase price and quality has been approved by the Commissioner of Agriculture and Forestry, provided that the cost per head does not exceed \$1,500.

33. Parcel Services, including but not limited to Federal Express, United Parcel Service, Airborne Express, and Express Mail, when not covered by a competitive state contract.

B. For the following items, when the purchase is in excess of the limit prescribed by Section 4 (A) of this Order, telephone, email, printable electronic form, written, or facsimile price quotations shall be solicited, where feasible, from at least three (3) bona fide, qualified vendors. Whenever possible, at least one (1) of the bona fide, qualified vendors shall be a certified small entrepreneurship or a certified veteran owned small entrepreneurship.

1. Farm products including, but not limited to, fresh vegetables, milk, eggs, fish, or other perishable foods, when it is determined that market conditions are unstable and the competitive sealed bidding process is not conducive for obtaining the lowest prices;

2. Food, materials, and supplies needed for:

a) Operation of boats and/or facilities in isolated localities where only limited outlets of such supplies are available and the cost of the food, materials, and supplies ; and/or

b) Juvenile detention homes and rehabilitation facilities/homes where the number of inmates, students, or clients is unstable and unpredictable;

3. Convention and meeting facilities including security services if applicable, provided that any associated food or lodging must be in accordance with Policy & Procedure Memorandum No.49 General Travel Regulations;

4. Gasoline and fuel purchases not covered by competitive state contract;

5. Equipment for blind operated facilities not covered by competitive state contract;

6. Feed commodities, including but not limited to soybean meal, cottonseed meal, and oats;

7. Seed commodities, including but not limited to rye grass, soybean seed, corn seed, cotton seed, etc. as well as related fertilizers, herbicides, insecticides, and fungicides when not covered by competitive state contract;

8. FAA PMA approved aircraft parts and/or repairs, inspections, and modifications performed by an FAA-certified mechanic and/or at an FAA certified repair station in accordance with FAA requirements with approval by the head of the agency or head of Office of Aircraft Services, Division of Administration;

9. Air and bus charters in accordance with PPM 49, including group travel that does not qualify for commercial rates available to individual travelers.

10. Labor and Materials contracts, not to exceed \$60,000. Agencies shall comply with state law regarding contractor licensing when procuring these contracts and will ensure the license of the contractor selected matches the scope of work of the contract.

Section 6: In the absence of a good faith business basis, no purchase or procurement shall be artificially divided within a cost center, or its equivalent, to avoid the competitive process or the solicitation of competitive sealed bids.

Section 7: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof are authorized and directed to cooperate in the implementation of this Order.

Section 8: Executive Order Number JML 24-114, dated July 29, 2024, is hereby rescinded.

Section 9: This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 16<sup>th</sup> day of September, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#071

### EXECUTIVE ORDER JML 25-105

#### State of Emergency—Maximum Security Camp J Repairs and Operation—Louisiana State Penitentiary

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

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

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

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

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

WHEREAS, La. R.S. 29:274(D)(2) permits the Governor during a declared state of emergency the capacity to utilize all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the disaster or emergency;

WHEREAS, La. R.S. 29:274(D)(3) authorizes the Governor during a declared state of emergency the capability to transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services;

WHEREAS, La. R.S. 29:274(D)(4) gives the Governor during a declared state of emergency the ability to make provisions for the availability and use of temporary emergency housing;

WHEREAS, the Louisiana State Penitentiary lacks adequate bed capacity to accommodate violent offenders who require the highest degree of security and will be transferred to its facilities;

WHEREAS, Camp J, within the Louisiana State Penitentiary, was designed to provide that maximum security, but Camp J has deteriorated into a condition that creates a significant threat of injury to individuals and property who enter or are in and around its premises;

WHEREAS, in the first seven months of 2017, dozens of weapons were found at Camp J due to security malfunctions;

WHEREAS, within just one year, approximately 85 corrections officers assigned to Camp J had resigned, retired, or were terminated due to the complex challenges presented there;

WHEREAS, locks for the cells in Camp J malfunctioned, allowing offenders to jam cell doors and circumvent security checks, which resulted in a decision to close Camp J in 2018;

WHEREAS, the security conditions of Camp J present a threat of injury and a threat to the lives of offenders housed or working within Camp J as well as employees, contractors, or members of the public who may be within Camp J at any time;

WHEREAS, Camp J and the surrounding infrastructure requires facility improvements and maintenance to adequately hold any violent offenders and to protect the lives of any employees, contractors, or members of the public who may be within Camp J at any time;

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

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

Section 2: Pursuant to R.S. 29:724(A)(3), the designated emergency area, which is or may be affected, shall include Camp J and surrounding infrastructure, within the Louisiana State Penitentiary.

Section 3: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) and the Secretary of the Department of Public Safety and

Corrections are hereby authorized to undertake any activity authorized by law that they deem appropriate in response to this declaration.

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

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

Section 6: This Order is effective upon signature and shall remain in effect from Monday, September 22, 2025, until Wednesday, October 22, 2025, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 22<sup>nd</sup> day of September 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#072

#### EXECUTIVE ORDER JML 25-106

##### Hurricane Rita Day of Remembrance, Day of Prayer, and Flags at Half-Staff

WHEREAS, on Saturday, September 24, 2005, at 2:40 a.m., Hurricane Rita made landfall between Sabine Pass, Texas and Holly Beach in Cameron Parish, Louisiana, devastating Southwest Louisiana and causing damage throughout the State;

WHEREAS, Hurricane Rita was the first major storm to hit that area of Louisiana in nearly 50 years;

WHEREAS, Hurricane Rita is often referred to as “the forgotten storm,” as Hurricane Katrina made landfall three weeks earlier, garnering most of the national media coverage and overshadowing the losses sustained by so many in Southwest Louisiana;

WHEREAS, Hurricane Rita was the strongest hurricane ever recorded in the Gulf of America, registering at a Category 5 with winds reaching 180 mph before slightly weakening to a Category 3 with 120 mph winds at landfall;

WHEREAS, storm force winds and storm surge inundated low-lying areas across Southwest, Louisiana, before the storm moved inland;

WHEREAS, communities in Cameron Parish, including but not limited to Holly Beach, Hackberry, Creole, and Grand Chenier were essentially washed away;

WHEREAS, Hurricane Rita changed the landscape across Cameron, Calcasieu, Vermilion, Jefferson Davis, Allen, Beauregard and surrounding parishes, causing widespread damage to homes, businesses, and infrastructure;

WHEREAS, the people of Southwest Louisiana endured extraordinary suffering, yet displayed unmatched courage, resilience, and compassion in the face of overwhelming adversity;

WHEREAS, communities across Southwest Louisiana had the will to recover and have worked tirelessly over the past two decades to rebuild lives, restore neighborhoods, and sustain the spirit of Louisiana;

WHEREAS, the twentieth anniversary of Hurricane Rita is a solemn opportunity to remember the lives forever changed, honor those who worked tirelessly to rebuild, and pay tribute to the resilience and spirit of these communities;

WHEREAS, it is fitting and proper that the State of Louisiana observe this significant anniversary with reflection and remembrance.

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

Section 1: September 24, 2025, is proclaimed as Hurricane Rita Remembrance Day in the State of Louisiana.

Section 2: To honor and remember the victims of this tragic event, and the sacrifices of so many across the state and our country, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings from sunrise to sunset on September 24, 2025.

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

Section 4: Throughout our history, Louisianians have been strengthened, assured, and lifted up through prayer; therefore, Louisianians of all faiths and religious traditions and backgrounds are encouraged to join me and Sharon in a day of prayer in observance of Hurricane Rita on September 24, 2025.

Section 5: This Order is effective upon signature and shall remain in effect until sunset, on September 24, 2025, or until amended.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 22<sup>nd</sup> day of September, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#073



## EXECUTIVE ORDER JML 25-107

### Renewal of State of Emergency—Hurricane Ida

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

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

WHEREAS, Proclamation Number 165 JBE 2021 has been renewed and extended every thirty (30) days through JML 25-096, which is in effect through Saturday, September 28, 2025;

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

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

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

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

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

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

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

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity

authorized by law that he deems appropriate in response to this declaration.

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

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

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

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

Section 7: This Order is effective upon signature and shall continue in effect from Friday, September 26, 2025 to Sunday, October 26, 2025, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 26<sup>th</sup> day of September, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#074

## EXECUTIVE ORDER JML 25-108

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

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

WHEREAS, Proclamation Number 160 JBE 2023 has been renewed and extended every thirty (30) days through JML 25-097 which is in effect through Sunday, September 28, 2025;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers the Governor to



declare a state of emergency by executive order or proclamation, or both;

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

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

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

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

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

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

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

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

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

Section 4: This Order is effective upon signature and shall continue in effect from Friday, September 26, 2025, through Sunday, October 26, 2025, to, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 26<sup>th</sup> day of September, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#075

## EXECUTIVE ORDER JML 25-109

### Amended State Government's Use of AI

WHEREAS, innovations technologize the way in which the state serves the public;

WHEREAS, recent innovations of artificial intelligence ("AI") and generative AI are transforming commerce, work, and society;

WHEREAS, these innovations will technologize the way in which the state will serve the public in the near future;

WHEREAS, the output and benefit of AI is dependent upon the AI's proprietary algorithms, models, and user input;

WHEREAS, the effectiveness and reliability of AI systems are directly dependent upon the quality, accuracy, completeness, and integrity of the data on which they are provided, recognizing that poor-quality inputs produce poor-quality outputs ("Garbage In, Garbage Out");

WHEREAS, state and federal laws require agencies and educational institutions to protect business, individual, and student data;

WHEREAS, the use of free software, especially those created and operated by nation-states like the Communist Chinese Party ("CCP"), should be strictly prohibited;

WHEREAS, on March 6, 2025, 21 state Attorney General's, including Louisiana's Attorney General, sent a letter to Congress requesting Congress to pass a bill to prohibit government devices from downloading and using the Chinese Communist Party's DeepSeek AI Software to protect our nation's secrets from Chinese espionage;

WHEREAS, on April 16, 2025, the United States Select Committee on the Chinese Communist Party ("Committee") published a report on DeepSeek and found that DeepSeek engages in covert manipulation of information to ensure the results it presents align with CCP propaganda;

WHEREAS, the Committee report warned that DeepSeek funnels Americans' data to the People's Republic of China ("PRC") and is sending Americans' personal information with other CCP linked entities;

WHEREAS, the Committee also found that all data uploaded to servers in the PRC is subject to the country's cybersecurity and intelligence laws, which compel companies to share data with state authorities;

WHEREAS, presidents of post secondary schools should be aware that universities and institutions of higher education have become targets for nation-states. Programs like DeepSeek, a product of the Communist Chinese Party, can produce nefarious results and collect sensitive information and have no place in our universities;

WHEREAS, the use of DeepSeek on government devices and networks has been banned by the United States Department of Commerce and numerous states;

WHEREAS, it is the goal of the State of Louisiana to ensure the use of AI by government agencies is responsible, ethical, beneficial, and trustworthy;

WHEREAS, again, the purpose of this executive order is to emphasize the needs for agencies to ensure that the data placed within AI is secure, uniform, and sanitized. As highlighted, AI is only as good as the information you put into it, Garbage In, Garbage Out;

WHEREAS, the office of technology services has authority over all information technology systems and services for agencies in the executive branch of state government except for agencies excluded by R.S. 39:15.1;

WHEREAS, the Chief Information Officer of the office of technology services serves as the spokesperson for policies, standards, deployment, strategic and tactical planning, acquisition, management, and operations in keeping with industry trends; and

WHEREAS, the Chief Information Officer of the office of technology services is the principal advisor to the governor and executive cabinet on information technology policy, including the acquisition and management of information technology and resources.

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

Section 1: Definitions

Unless the context of this Order clearly indicates otherwise, the words and terms used in this Order shall be defined as follows:

A. "Agency" means a state department, office, division, agency, commission, or board.

B. "Agency Head" means the chief executive or administrative officer of an agency who exercises supervision over the agency.

C. "Artificial Intelligence" or "AI" means a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments. Artificial intelligence systems use machine and human-based inputs to: perceive real and virtual environments; abstract such perceptions into models through analysis in an automated manner; and use model inference to formulate options for information or action.

D. "Chief Information Officer" means the state chief information officer appointed by the Governor pursuant to R.S. 39:15.2.

E. "Confidential Data" means information whose unauthorized disclosure could cause serious, and adverse effects on an agency, third party, supplier, individual, or the State of Louisiana.

F. "Proprietary Information" means any code, pattern, formula, design, device, method, or process which is proprietary or trade secret information which has been submitted to a public body by the developer, owner, or manufacturer of a code, pattern, formula, design, device, method, or process in order to obtain or retain approval of such code, pattern, formula, design, device, method, or process for sale or use in this state.

G. "Restricted Data" means data that requires strict adherence to legal obligations such as Federal, State, or local law, specific contractual agreements, or data specifically designated as restricted data in applicable state or agency policy.

Section 2: Agency use of any AI source shall first be approved by the Chief Information Officer, or the agency head for agencies outside the scope of the office of technology service, to ensure it is secure and reliable.

Section 3: No agency shall procure or license the use of AI prior to December 15, 2025.

Section 4: The Chief Information Officer, or the agency head for agencies outside the scope of the office of technology services, must issue a policy on the acquisition of artificial intelligence and a policy on information management related to AI use and application no later than December 15, 2025.

Section 5: The Chief Information Officer, or the agency head for agencies outside the scope of the office of technology services, shall inventory all contracts regarding the use of AI, as well as all use cases of AI currently in place.

Section 6: Until the policies mandated in Section 4 are implemented, all agencies are prohibited from inputting into any AI system:

A. Personal identifying information of members of the public

B. Specific information about tangible or real property

C. Proprietary information

D. Confidential data

E. Restricted data

F. Any information that would otherwise undermine the cybersecurity or physical security of the state.

Section 7: Prior to the use of any dataset in an AI system, agencies shall review, analyze, and, as necessary, cleanse such data to identify and mitigate errors, omissions, duplications, and other deficiencies that may compromise the reliability or integrity of AI outputs.

Section 8: All departments, commissions, boards, offices, entities, agencies, and officers of the State of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with implementing the provisions of this Order.

Section 9: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 29<sup>th</sup> day of September, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#076

**EXECUTIVE ORDER JML 25-110**

Amended Public Higher Education Reform Task Force

WHEREAS, public higher education systems are responsible for providing learning environments and experiences that promote intellectual development and foster moral and civic virtue through rigorous, content-rich education across disciplines such as the arts, sciences, engineering, and other academic disciplines, ensuring that every student has an equal opportunity to realize their full potential;

WHEREAS, under the Higher Education Act of 1995, institutions of higher education must be accredited or pre-accredited by a recognized accrediting agency to qualify for Title IV federal funding;

WHEREAS, on April 23, 2025, President Donald J. Trump issued Executive Order 14279 ordering the U.S. Secretary of Education to implement reforms ensuring that:

(i) accreditation requires higher education institutions to provide high-quality, high-value academic programs free from unlawful discrimination or other violations of Federal law;

(ii) barriers are reduced that limit institutions from adopting practices that advance credential and degree completion and spur new models of education;

(iii) accreditation requires that institutions support and appropriately prioritize intellectual diversity amongst faculty in order to advance academic freedom, intellectual inquiry, and student learning;

(iv) accreditors are not using their role under Federal law to encourage or force institution to violate State laws, unless such State laws violate the Constitution or Federal law; and

(v) accreditors are prohibited from engaging in practices that result in credential inflation that burdens students with additional unnecessary costs.

WHEREAS, to advance these objectives, the Executive Order also directs the U.S. Secretary of Education to resume recognition of new accrediting agencies to increase competition and accountability in promoting high-quality, high-value academic programs focused on student outcomes;

WHEREAS, on May 1, 2025, the Acting Under Secretary of the United States Department of Education issued guidance on accrediting agencies and stated the U.S. Department of Education will conduct expeditious review of applications for a change in accrediting agencies or maintaining multiple accreditations received except in rare cases where an institution lacks a reasonable cause for making a change. This guidance also stated that Department guidance should allow institutions the freedom to develop unique partnerships with accrediting agencies;

WHEREAS, the State University System of Florida, the University System of Georgia, the University of North Carolina System, the University of South Carolina System, the Texas A&M University System, and the University of Tennessee System have recently founded the Commission for Public Higher Education (“CPHE”);

WHEREAS, the mission of CPHE is to advance the quality and improvement of higher education by accrediting and pre-accrediting state public colleges and universities that are incorporated, chartered, licensed, or authorized in the United States;

WHEREAS, CPHE will focus on student outcomes, streamline accreditation standards, focus on emerging educational models, modernize the accreditation process, maximize efficiency, and ensure no imposition of divisive ideological content on institutions;

WHEREAS, CPHE will establish accreditation standards, policies, and procedures prior to pursuing recognition as a Title IV gatekeeper by the U.S. Department of Education, and intends to accredit public institutions nationwide;

WHEREAS, Louisiana’s public institutions are currently accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC);

WHEREAS, currently, 55% of states with public university systems accredited by SACSCOC are represented on the CPHE Board of Directors;

WHEREAS, Louisiana stands to benefit from early engagement with CPHE, both by diversifying accreditation options and by shaping the standards and procedures that align with the public mission of its institutions;

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

Section 1: The Governor’s Task Force on Public Higher Education Reform is hereby established within the Executive Department, Office of the Governor to lead statewide engagement on accreditation reform aligned with institutional autonomy, academic excellence, and federal requirements.

Section 2: The duties of the Task Force shall include, but are not limited to, the following:

A. Identify all items necessary to leverage accreditation to improve student success, accountability, and drive strong outcomes.

B. Engage with the Commission for Public Higher Education (CPHE) to assess the potential benefits of membership for Louisiana’s public university systems and provide formal recommendations to the Office of the Governor on pursuing membership.

C. Identify any legislative or administrative actions necessary to authorize and support Louisiana institutions in pursuing recognition from CPHE, if such action is recommended by the Task Force.

D. Develop a plan to pilot dual accreditation for public post-secondary institutions in Louisiana.

E. Coordinate with other states participating in CPHE to identify opportunities for regional collaboration.

Section 3: The Task Force shall report its findings and recommendations no later than January 30, 2026, including those for the 2026 Regular Legislative Session.

Section 4: The Task Force shall be comprised of thirteen (13) members who, unless otherwise specified, shall be designated by and serve at the pleasure of the Governor. The membership shall be composed of the following:

A. The Commissioner of Higher Education;

B. The Chair of the Board of Regents;

C. The Chair of the Board of Supervisors for the University of Louisiana System;

D. The Chair of the Board of Supervisors for the Louisiana State University System;

E. The Chair of the Board of Supervisors of the Southern University System;

F. The Chair of the Board of Supervisors of the Community and Technical Colleges System;

G. The Chair of the Senate Education Committee; or his designee;

H. The Chair of the House of Representatives Education Committee, or her designee;

I. The Executive Counsel for the Governor, or her designee;

J. The Commissioner of Administration, or his designee;

K. Three (3) additional members appointed by the Governor.

Section 5: The Governor shall appoint the chair of the Task Force from its members. All other officers, if any, shall be elected by the members of the Task Force.

Section 6: The Task Force shall convene its initial meeting no later than August 31, 2025, and shall meet at least once every two months thereafter until it has completed its assigned duties.

Section 7: Task Force members shall not receive additional compensation or a per diem from the Office of the Governor for serving on the Task Force. A Task Force member who is an employee or an elected public official of the State of Louisiana or a political subdivision thereof may seek reimbursement of travel expenses, in accordance with PPM 49, from his or her employing and/or elected department, agency and/or office.

A Task Force member who is also a member of the Louisiana Legislature may seek a per diem from the Louisiana State Senate or House of Representatives, as appropriate, for his or her attendance.

Section 8: Support staff, facilities, and resources for the Task Force shall be provided by the Office of the Governor and the Louisiana Board of Regents.

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

Section 10: This order is effective upon signature of the Governor, and it shall remain in effect until the Task Force has completed the tasks identified in Sections 2 and 3 of this Order, or until amended, modified, terminated or rescinded by the Governor, or until terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 30<sup>th</sup> day of September, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#077

### EXECUTIVE ORDER JML 25-111

Flags at Half-Staff  
Former Senator Louis Joseph Lambert, Jr.

WHEREAS, Louis Joseph Lambert, Jr., former Louisiana Senator, Public Service Commissioner, and gubernatorial candidate passed away on September 27, 2025, following a lifetime of service to the people of Louisiana;

WHEREAS, he was born in Deridder, Louisiana, on December 21, 1940, to Louis J. Lambert, Sr., and Roberta Lambert;

WHEREAS, he was married to Mary Smith Lambert for 59 years. They adopted three children from Catholic Social Services: Jessica Lambert, John Lambert, and Michael Lambert;

WHEREAS, as a young man, he attained the rank of Eagle Scout in the Boy Scouts of America;

WHEREAS, his academic excellence in civics earned him the opportunity to serve as a page in the Louisiana State Legislature;

WHEREAS, he served as a page in the United States Congress and graduated from the Page School at the top of his class in 1958;

WHEREAS, he was a graduate of Louisiana State University and Loyola University College of Law;

WHEREAS, in 1968 he established his own law practice in Gonzales, dedicating himself to the needs of his community;

WHEREAS, the people of Louisiana elected him to the Louisiana Legislature in 1972, where he also served as a delegate at the Louisiana Constitutional Convention of 1973;

WHEREAS, in 1974 he secured a seat on the Public Service Commission, serving with distinction for 18 years;

WHEREAS, he ran for governor in 1979 in what is considered the closest gubernatorial race in contemporary Louisiana history;

WHEREAS, in 1994 he returned to the Louisiana State Senate, where he served as President Pro Tempore from 2000 to 2004, championing both his district and the state's technical college system by authoring legislation that established River Parishes Community College. During this time, he also chaired the Senate Environmental Committee, fostering collaboration among legislators to improve Louisiana;

WHEREAS, his dedication to higher education led to his appointment to the LSU Board of Supervisors;

WHEREAS, his long record of public service was recognized in 2024 with his induction into the Louisiana Political Hall of Fame;

WHEREAS, he passionately served as a voice for his constituents and as a mentor of many young and aspiring lawyers and politicians;

WHEREAS, he was known for being a devout Catholic and a fighter, who credited his survival of three previous bouts of cancer to his faith and trust in God;

WHEREAS, beyond his professional accomplishments, he remained deeply devoted to his family, keeping them at the heart of his life;

WHEREAS, his principles of good governance will continue to serve as a model for future generations;

WHEREAS, he was predeceased by his father Louis J. Lambert, Sr., his mother Roberta Lambert, his brother Billy Lambert, and his grandson Hunter Louis Lambert;

WHEREAS, he is survived by his beloved wife Mary, his sister Edana Sparcino, his three children Jessica, John, and Michael; and his three grandchildren Hayze, Kaleb, and Alexander Lambert;

WHEREAS, the State of Louisiana is indebted to him for his decades of leadership and enduring contributions;

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

Section 1: As an expression of respect and to honor Louis Joseph Lambert, Jr., the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings from sunrise until sunset on October 3, 2025.

Section 2: This Order is effective upon signature and shall remain in effect until sunset, October 3, 2025.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 2<sup>nd</sup> day of October 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#078

**EXECUTIVE ORDER JML 25-112**

**Bond Allocation 2025 Ceiling**

WHEREAS, Section 146 of the Internal Revenue Code of 1986 (hereafter the “Act”), as amended (hereafter the “Code”), restricts the total principal amount of certain private activity bonds (hereafter the “Bonds”) that exclude interest from gross income for federal income tax purposes under Section 103 of the Code;

WHEREAS, Act No. 51 of the 1986 Regular Session of the Louisiana Legislature (hereafter “Act No. 51 of 1986”) authorizes the Governor to allocate the volume limit applicable to the Bonds (hereafter the “ceiling”) among the State and its political subdivisions in such a manner as the Governor deems to be in the best interest of the State of Louisiana;

WHEREAS, pursuant to the Act and Act No. 51 of 1986, Executive Order No. JML 2024-123 was issued to establish:

- (A) the manner in which the ceiling shall be determined,
- (B) the method to be used in allocating the ceiling,
- (C) the application procedure for obtaining an allocation of Bonds subject to such ceiling, and
- (D) a system of record keeping for such allocations;

WHEREAS, the Louisiana Housing Corporation (hereafter the “Corporation”) has applied for an allocation of the 2025 ceiling to be used in connection with providing funds for the acquisition, construction, rehabilitation, and equipping of residential rental housing for individuals and families of low and moderate income;

WHEREAS, the Capital Area Finance Authority has authorized and approved \$25,000,000 of Single-Family Mortgage Revenue Bonds Series 2025B and has applied for \$1,300,000 in volume cap from the 2025 ceiling, in addition to volume cap allocated in JML 25-092, to be used for the principal and premium on its tax-exempt Series 2025B Bonds.

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

Section 1: The bond issues, as described in this Section, shall be and are hereby granted allocations from the 2025 ceiling in the amounts shown:

Amount of Allocation	Name of Issuer	Name of Project
\$10,000,000	Louisiana Housing Corporation	Barret Senior Lofts Series 2025
\$19,500,000	Louisiana Housing Corporation	BW Cooper Senior Series 2025
\$6,000,000	Louisiana Housing Corporation	Baronne Lofts Apartments Series 2025
\$22,000,000	Louisiana Housing Corporation	4100 Bywater Series 2025
\$18,000,000	Louisiana Housing Corporation	Capstone at Covington Place Series 2025
\$20,000,000	Louisiana Housing Corporation	Hampton Park Series 2025
\$9,750,000	Louisiana Housing Corporation	Fairfield Building Lofts Series 2025
\$92,000,000	Louisiana Housing Corporation	NSA East Bank Apartments Series 2025
\$16,000,000	Louisiana Housing Corporation	Touro Shakspeare Series 2025
\$1,300,000	Capital Area Finance Authority	Single Family Mortgage Revenue Bonds (Mortgage-Backed Securities Program) Series 2025B (Non-AMT)

Section 2: The allocations granted herein shall be used only for the bond issues described in Section 1 and for the general purpose set forth in the “Application for Allocation of a Portion of the State of Louisiana’s Private Activity Volume Cap” submitted in connection with the bond issues described in Section 1.

Section 3: The allocations granted herein shall be valid and in full force and effect through December 30, 2025; therefore, any unused amount of the 2025 ceiling allocation shall be deemed returned as of December 31, 2025.

Section 4: This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of the State of Louisiana in the City of Baton Rouge, on this 2<sup>nd</sup> day of October, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#079

## EXECUTIVE ORDER JML 25-113

### State of Emergency—City of Tallulah Water System

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, a state of emergency was declared through Executive Order No. 25-018;

WHEREAS, Executive Order No. 25-018 has been renewed and extended every thirty (30) days through JML 25-098, which is in effect through Sunday, October 5, 2025;

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

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

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

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

WHEREAS, the City of Tallulah has approximately 8,601 persons that depend on the Tallulah Water System;

WHEREAS, the Louisiana Department of Health has determined that the Tallulah Water System is continuously at risk of failure and unable to provide safe and accessible water to the residents of Tallulah on a consistent basis;

WHEREAS, the failure of the Tallulah Water System would impact the health and safety of the citizens of the City of Tallulah;

WHEREAS, the failure of the Tallulah Water System would greatly impact the operability and sustainability of critical infrastructure within the City;

WHEREAS, the State of Louisiana desires to avoid the failure of the Tallulah Water System and to protect the city's citizens and critical infrastructure;

WHEREAS, there is a need to continue Executive Order Number JML 25-098 because the designated certified operator is still working to repair the Tallulah Water System in order to provide safe and accessible water to the residents of Tallulah on a consistent basis.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the

Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721 *et seq.*, and more specifically, La. R.S. 29:724, a state of emergency is hereby declared to exist within the City of Tallulah in the Parish of Madison.

Section 2: The Director of GOHSEP and the Louisiana Department of Health are hereby authorized to undertake any activity authorized by law deemed appropriate in response to this declaration;

Section 3: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code, (R.S. 39:1551, *et seq.*), and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*), and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any goods or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

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

Section 5: This Order is effective Friday, October 3, 2025, and shall continue in effect until Sunday, November 2, 2025, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

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

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#080

## EXECUTIVE ORDER JML 25-114

### Renewal of State of Emergency—Cybersecurity Incidents

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

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

WHEREAS, Proclamation Number 263 JBE 2023 has been renewed and extended every thirty (30) days through JML 25-099, which is in effect through Sunday, October 5, 2025;



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

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

WHEREAS, it is necessary for the State to continue to work cooperatively to mitigate any damages, current or future from cybersecurity breaches and to address cybersecurity vulnerabilities in current systems;

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

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

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

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

Section 4: All departments, commissions, boards, agencies and officers of the state, or any political subdivision

thereof, are authorized and directed to cooperate in actions the state may take in response to the effects of this cybersecurity event.

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

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

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

Section 8: This Order is effective upon signature and shall continue in effect from Friday, October 3, 2025 to Sunday, November 2, 2025, unless terminated sooner.

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

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2510#081

# Emergency Rules

## DECLARATION OF EMERGENCY

### Department of Health Office of Public Health

Marine and Fresh Water Animal Food Products  
(LAC 51:IX.318)

The Department of Health, Office of Public Health (LDH/OPH), pursuant to rulemaking authority granted by R.S. 40:4, and to the emergency rulemaking authority granted by R.S. 40:4(A)(13), hereby adopts the following Emergency Rule for the protection of public health. This Emergency Rule is promulgated specifically in accordance with R.S. 49:962 of the Administrative Procedure Act (R.S. 49:950, et seq.).

The LDH/OPH finds it necessary to promulgate an Emergency Rule effective October 10, 2025. This Emergency Rule is necessary to prevent imminent peril to the public health, safety, or welfare. Current LDH/OPH rules in LAC 51:IX do not explicitly prohibit the re-use of crustacean and molluscan shells, and due to the gratiose and porous nature of these biological materials, they are unable to be properly cleaned and sanitized for use as a food-contact surface for food service. Immunocompromised individuals (including the elderly, very young children, pregnant women, and those with autoimmune disorders or undergoing treatment for cancer) are especially vulnerable to pathogens transmitted by improper sanitation of shellfish, including *Vibrio* and *Campylobacter spp.* This Emergency Rule stipulates clearly that firms engaged in activities requiring a permit under §311 of this Part are not permitted to sell or otherwise distribute for re-use any crustacean or molluscan shellfish shells—except for the cephalothoraxes of specimens of crawfish from which the viscera have been previously removed for the purposes of preparing crawfish bisque for service by adding an edible stuffing to the cephalothoraxes.

Accordingly, the following Emergency Rule, effective October 10, 2025, shall remain in effect for a maximum of 180 days, or until the final Rule is promulgated, whichever occurs first.

#### Title 51

#### PUBLIC HEALTH—SANITARY CODE

#### Part IX. Marine and Fresh Water Animal Food Products

#### Chapter 3. Preparation and Handling of Seafood for Market

#### §318. Handling of Shells of Crustacean and Molluscan Shellfish

A. No person, firm, or corporation holding or required to hold a permit under §311 of this Part shall engage in the sale or distribution of emptied crustacean or molluscan shells intended for use as serving containers by a “food establishment”, as that term is defined in LAC 51:XXIII.101—except for the cephalothoraxes of specimens of crawfish from which the viscera have been previously removed for the purposes of preparing crawfish bisque for

service by adding an edible stuffing to the cephalothoraxes. Any sale or distribution by such a person, firm, or corporation of other crustacean or molluscan shells to a food establishment shall include package labeling prominently stating that use thereof as serving containers is prohibited by LAC 51:XXIII.2101.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(1), and R.S. 40:4(A)(13).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

Ralph L. Abraham, MD  
Surgeon General  
and  
Bruce D. Greenstein  
Secretary

2510#066

## DECLARATION OF EMERGENCY

### Department of Health Office of Public Health

Regulation of Medical Marijuana  
(LAC 51:XXIX:Chapters 1-25)

The Department of Health, Office of Public Health (LDH/OPH), pursuant to the emergency rulemaking authority granted by R.S. 40:4(A)(13) and R.S. 3:1483(L), hereby adopts the following Emergency Rule for the protection of public health. This Emergency Rule is effective on September 24, 2025, and adopted in accordance with R.S. 49:962 of the Administrative Procedure Act (R.S. 49:950, et seq.).

This Emergency Rule amends certain sections of Part XXIX of Title 51 of the *Louisiana Administrative Code* (also known as the “Louisiana State Sanitary Code”) and enacts a new Subpart to address the changes made to medical marijuana regulations under Act No. 150 and Act No. 693 of the 2024 Louisiana Legislature. The following changes will update the language in Part XXIX to address terminology changes and alter the pesticide-testing schedule to streamline product testing and approval. The new Subpart 2. Marijuana Retailers authorizes LDH/OPH to transition to conducting oversight of the retail distribution of medical marijuana products through the network of approved retailers. Chapter 21 provides for general requirements and definitions. Chapter 23 provides for the transfer of new LDH-issued permits for retailers that currently hold marijuana-pharmacy permits through the Board of Pharmacy as of November 2024 and application requirements for new applicants should a current permit-holder neglect to renew its existing permit. Chapter 25 provides for general operational requirements for marijuana retailers, including distribution requirements, recommendations, home-delivery services, disposal procedures for waste products, inventory control, point-of-sale tracking systems, and general design, construction, and sanitary requirements.



Additionally, the department proposes to amend several provisions of the proposed Rule by deleting §505(C)(5), because a licensee-permittee relationship no longer exists within the marijuana regulatory space, rendering this language moot; by deleting the term “home” in §2505.A; by deleting the term “home” in §2507.B to allow for deliveries to patients at sites other than their home addresses; by adding Subsection D to §2501 to address the display of permits in the facilities; and by adding Subsections I and J to §2511 to address the cleanliness and freedom from infestation of the facilities and the proper use and storage of toxic chemicals at the facilities.

**Title 51**  
**PUBLIC HEALTH—SANITARY CODE**  
**Part XXIX. Medical Marijuana**  
**Subpart 1. Marijuana Manufacturers**

**Chapter 1. General Requirements**

**§101. Definitions**

A. Except as may be otherwise defined in any provision of this Part, and unless the context or use thereof clearly indicates otherwise, the following words and terms used in this Part of the *Sanitary Code* are defined for the purposes thereof, and for purposes of any other Parts which are adopted or may hereafter be adopted, as follows.

\* \* \*

*Licensee*—as defined in R.S. 40:1046(H)(1)(a), an entity authorized by the Louisiana Department of Health to cultivate, extract, process, produce and transport therapeutic marijuana.

\* \* \*

*Permittee*—Repealed.

*Therapeutic Marijuana*—see Medical Marijuana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

**Chapter 5. Licensure**

**§501. Licensure of Authorized Entities**

A. The department shall issue a nontransferable license to the licensees successfully completing the application process referenced in §505 of this Chapter to produce medical marijuana. Such license shall be renewable annually on July 1.

B. Only a total of two licenses may be issued for the production of medical marijuana.

C. Licensees shall comply with all applicable requirements of R.S. Title 40, Chapter 4, Part X-E (R.S. 40:1046 et seq.), including payment of all fees, allowance of all inspections, and provision of all information required thereunder. Each license is subject to an annual administration fee of \$100,000.00.

D. New licenses may be issued only under the following circumstances:

1. A current licensee surrenders its active license voluntarily; or

2. A current licensee fails to renew its active license in a timely fashion. A license may only be revoked in this circumstance if the licensee fails to respond to a written notification by the department with the necessary documentation and fees within a thirty-day timeframe.

E. New licenses shall be awarded by means of a competitive bid process in accordance with the applicable provisions of the Procurement Code (R.S. 39:1551 et seq.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

**§503. Permitting**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), repealed by the Louisiana Department of Health, Office of Public Health, LR 52:

**§505. Application Process**

A. Applications for licensure shall be made using documents supplied by the department for this purpose.

B. - B.5. ...

6. a recall plan; and

7. any other information or plans required to be provided under R.S. Title 40, Chapter 4, Part X-E (R.S. 40:1046 et seq.).

C. As a condition of renewal of a license, the licensee shall supply the following additional information in writing to the department by January 10 of the renewal year:

1. - 3. ...

4. the total quantity of medical marijuana generated as a finished product within that year and the quantity distributed to each licensed marijuana retailer;

5. Repealed.

6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

**Chapter 7. Inspections and Operational Requirements**

**§701. Inspections**

A. Licensed facilities require a preoperational or initial inspection and this shall follow review and acceptance of the plans required in §505. Inspections are designed to ensure the following:

1. - 9. ...

B. As a condition of its license, the licensee shall allow the State Health Officer or his/her designee(s) to review all records relevant to the operations and management of the licensed facility.

C. Routine inspections of licensed facilities to assess continued compliance shall occur no less frequently than twice per fiscal year. Complaint-based inspections may be conducted at any time during business hours and without prior notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

**§703. Product and Site Security**

A. Licensed facilities shall maintain an onsite security system that includes, at a minimum, the following components:

A.1. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

**§705. Louisiana Medical Marijuana Tracking System**

A. Licensed facilities shall possess and maintain required hardware and software to connect to the Louisiana Medical Marijuana Tracking System (LMMTS).

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

**§707. Inventory Control**

A. Licensed facilities shall maintain an inventory of medical marijuana, including medical marijuana waste, on their premises and update these records no less frequently than once per week.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

**§709. Toxic Chemical Use and Storage**

A. Licensed facilities shall handle and store any chemicals for direct or indirect contact with medical marijuana in accordance with its written operations plan and the manufacturer’s directions.

B. ...

C. Licensees shall maintain records of material safety data sheets (MSDS) for all chemicals currently in use at the facility.

D. - D.4....

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

**§711. Transportation of Medical Marijuana**

A. Licensed facilities shall generate an inventory manifest prior to transporting any medical marijuana to a licensed marijuana retailer, laboratory, contractor or disposal site. The manifest shall include the following items:

A.1. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

**§713. Sampling Requirements**

A. Licensees shall sample every batch of product to ensure compliance with the standards of quality outlined below. Licensees shall not release any batch of product for sale until the representative sample has been verified as compliant. Batches may be tested prior to portioning or packaging.

B. Sample verification shall be by means of the issuance of a certificate of analysis from the approved laboratory conducting the sample analysis issued to the Louisiana Department of Health and the originating facility no later than 24 hours after testing is complete.

C. Any batch with a sample failing one or more of the tests (by exceeding allowable limits for contaminants or residues) shall be remediated or destroyed, at the option of the licensee. A batch shall only be remediated once, and if subsequent sampling fails to correct the exceedance, the affected batch shall be destroyed.

D. - E. ...

F. Medical marijuana samples shall be required to meet the following standards of quality:

- 1. microbiological contaminants:
  - a. mold/yeast <100,000 CFU/g;
  - 1.b. - 6....

G. Table 1. Pesticide Residue Maximum Contaminant Levels (MCL) in parts per million (ppm) by dosage form

Name	Ingested	Inhaled
Abamectin	0.5	0.5
Acephate	0.4	0.4
Acetamiprid	0.2	0.2
Acequinocyl	2	2
Azoxystrobin	0.2	0.2
Bifentate	0.2	0.2
Bifenthrin	0.2	0.2
Boscalid	0.4	0.4
Carbaryl	0.2	0.2
Carbofuran	0.2	0.2
Chlorantraniliprole	0.2	0.2
Chlorfenapyr	1	1
Chlorpyrifos	0.2	0.2
Clofentezine	0.2	0.2
Cyfluthrin	1	1
Cypermethrin	1	1
Daminozide	1	1
DDVP (Dichlorvos)	0.1	0.1
Diazinon	0.2	0.2
Dimethoate	0.2	0.2
Ethoprophos	0.2	0.2
Etofenprox	0.4	0.4
Etoxazole	0.2	0.2
Fenoxycarb	0.2	0.2
Fenpyroximate	0.4	0.4
Fipronil	0.4	0.4
Flonicamid	1	1
Fludioxionil	0.4	0.4
Hexythiazox	1	1
Imazalil	0.2	0.2
Imidacloprid	0.4	0.4
Kresoxim-methyl	0.4	0.4
Malathion	0.2	0.2
Metalaxyl	0.2	0.2
Methiocarb	0.2	0.2
Methomyl	0.4	0.4
Methyl parathion	0.2	0.2
MGK-264	0.2	0.2
Myclobutanil	0.2	0.2
Naled	0.5	0.5
Oxamyl	1	1
Paclobutrazol	0.4	0.4
Permethrins*	0.2	0.2
Phosmet	0.2	0.2
Piperonylbutoxide	2	2
Prallethrin	0.2	0.2
Propiconazole	0.4	0.4
Propoxur	0.2	0.2
Pyrethrins**	1	1
Pyradiben	0.2	0.2
Spinosad	0.2	0.2
Spiromesifen	0.2	0.2
Spirotetramat	0.2	0.2
Spiroxamine	0.4	0.4
Tebuconazole	0.4	0.4
Thiacloprid	0.2	0.2
Thiamethoxam	0.2	0.2
Trifloxystrobin	0.2	0.2

\*Permethrins should be measured as cumulative residue of *cis*- and *trans*-permethrin isomers.

\*\*Pyrethrins should be measured as the cumulative residue of pyrethrin 1, cinerin 1, and jasmolin 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health LR 52:

## §715. Basic Facility Requirements

A. Licensed facilities shall provide finishes to floors, walls, and ceilings that are durable, light in color, and easily cleanable.

B. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

## Chapter 9. Approved Laboratories for Testing Medical Marijuana

### §901. General Requirements

A. Licensed facilities shall only utilize approved laboratories, as defined in this Section, for testing of medical marijuana.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046 et seq.

HISTORICAL NOTE: Adopted by the Louisiana Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended by the Louisiana Department of Health, Office of Public Health, LR 52:

### Subpart 2. Marijuana Retailers

## Chapter 21. General Requirements

### §2101. Definitions

A. Except as may be otherwise defined in any provision of this Part, and unless the context or use thereof clearly indicates otherwise, the following words and terms used in this Part of the *Sanitary Code* are defined for the purposes thereof, and for purposes of any other Parts which are adopted or may hereafter be adopted, as follows:

*Authorized Clinician*—licensed health professional authorized to recommend therapeutic marijuana as defined in R.S. 40: 1046.

*CFR*—Code of Federal Regulations

*Department*—herein, unless otherwise indicated, the Louisiana Department of Health.

*Marijuana Product*—any product containing marijuana, including raw plant material, that requires no further processing

*Pharmacist*—a natural person holding an active license to practice as a pharmacist issued by the Louisiana Board of Pharmacy.

*Recommendation*—a written or electronic communication from an authorized clinician to a retailer indicating that in the clinician's professional judgment a patient would benefit from therapeutic marijuana.

*Retailer*—retail facility meeting the requirements of this Subpart that sells therapeutic marijuana to patients or caregivers.

*Usable Marijuana*—the dried leaves and flowers of the marijuana plant, and any mixtures or preparations of such leaves and flowers that are appropriate for the therapeutic use of marijuana, but does not include the seeds, stalks, and roots of the marijuana plant.

*Use*—to assimilate therapeutic marijuana into the body by ingestion, inhalation, topical application or any other route of administration by the patient, whether aided or unaided.

*Visiting Qualifying Patient*—non-resident of the state of Louisiana or person who has been a resident for fewer than thirty days who provides a Louisiana retailer with a copy of a medical-marijuana registry card or similar credential indicating that the patient currently receives medical marijuana in another state under that jurisdiction’s medical-marijuana laws and rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **§2103. Marijuana Product Requirements**

A. Retailers may only stock marijuana products obtained from in-state licensed medical marijuana manufacturing facilities. No other sources may be utilized for the supply of marijuana products to patients.

B. Retailers may distribute only the following acceptable dosage forms of formulated therapeutic marijuana to patients:

1. oils, extracts, tincture or sprays;
2. solid oral dosage forms (e.g., pills, capsules, tablets);
3. liquid oral dosage forms (e.g., solutions or suspensions);
4. gelatin- or pectin-based chewables;
5. topical creams, unguents, or lotions;
6. transdermal patches;
7. suppositories;
8. metered-dose inhalers; or
9. other forms approved by the department.

C. Retailers may also distribute edible products (intended for ingestion) and combustible forms (intended for inhalation) made from marijuana flower.

D. No therapeutic marijuana product of any kind may include or be incorporated into the following:

1. an alcoholic beverage;
2. a dietary supplement; or
3. a drug other than marijuana, cannabis extracts, or cannabis derivatives.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

## **Chapter 23. Permits**

### **§2303. Application Requirements**

A. In accordance with the statutory limits provided for in R.S. 40:1046(G), the department may issue no more than thirty permits for therapeutic marijuana retailers and their approved satellite locations.

B. Permits are not transferable to other locations or owners.

C. In the circumstance that one of the existing permit-holders for a primary retailer location or its satellite chooses to surrender that permit or the facility undergoes a change-of-ownership, an applicant may submit a packet for review to include the following:

1. a completed application form provided by the department;
2. detailed plans of the facility, including a site plan and plumbing, electrical, mechanical, HVAC, and drainage schedules as well as a schedule of finishes for floors, walls, and ceilings in all areas; plans should include measures to secure the area where marijuana product is being held to prevent the entry of unauthorized personnel;

3. proposed hours of operation, anticipated staffing levels, and a list of other goods and services to be provided on the premises;

4. the name and contact telephone number and email address of the registered pharmacist designated to be available to the retailer; and

5. a notarized, sworn affidavit that the proposed location meets the separation distance requirements stipulated in R.S. 40:1040(G)(6) and that any applicable zoning requirements have been met.

D. Any plans packet that is incomplete or lacks the required supporting documentation will be returned without processing.

E. To comply with statutory population-survey requirements and as a condition of permitting, each permitted facility must supply the department with registered patient counts based on the previous 24-month period on a quarterly basis.

F. Per the provisions of R.S. 40:1046(F), each permitted facility must designate at least one registered pharmacist to be available to the primary site and its satellite locations by virtue of the pharmacist’s physical presence or availability by telephone or videoconference during its hours of operation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **§2305. Renewal, Suspension, and Revocation**

A. A marijuana retailer permit shall be subject to renewal on a calendar-year basis utilizing a form supplied by the Louisiana Department of Health.

B. Renewal packets (to include ancillary documentation required by the renewal form) must be submitted to LDH no later than December 1 to renew for the following year.

C. Permits that are not renewed by December 31 are subject to suspension until such time as the proper packet has been submitted, reviewed, and accepted by LDH.

D. Permits that have not been renewed by March 1 of the subsequent calendar year or whose holders have been documented to be in violation of any provisions of this Subpart may be subject to revocation in accordance with the applicable provisions of LAC 51:I.113.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **§2307. Renovations**

A. Any permitted marijuana retailer that is undergoing substantial renovations (per LAC 51.I:101) must submit plans for review and approval to the Louisiana Department of Health. The department must approve the plans prior to the onset of construction/substantial renovations to the existing facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

## **Chapter 25. Inspections and Operational Requirements**

### **§2501. Inspections**

A. Permitted facilities are required to be inspected at least once annually. Inspections are intended to verify compliance with the provisions of this Subpart, including §2511.

B. As a condition of its permit, the permittee shall allow the surgeon general or his/her designee(s) to review all records relevant to the operations and management of the permitted facility.

C. Complaint-based inspections may be conducted at any time during business hours and without prior notice to the firm.

D. Permits are required to be displayed on the premises in a prominent location.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **§2503. Product and Site Security**

A. Permitted facilities shall maintain an onsite security system that includes, at a minimum, the following components:

1. secured locks on doors throughout the facility;
2. audible alarms and a system of audio and video surveillance cameras that cover points of entry and egress as well as restricted-access areas;
3. restricted-access areas denoted by suitable signage and protected by means of secured-access locks where marijuana products are held and provided to patients or caregivers. Access to areas where marijuana inventory is stored and orders are fulfilled shall meet the following requirements:

- a. be restricted to authorized personnel and not allowed to the general public;
- b. be secured by suitable physical barriers and monitored by the facility's security system;
- c. be inaccessible to any non-employee unless that person remains under the constant supervision of an employee authorized to be in the secure area.

B. The security system shall be documented in detail in the firm's security plan and subject to review during inspection by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **§2505. Inventory Control and Required POS (Point-of-Sale) System**

A. Permitted facilities shall be required to maintain a point-of-sale software system that will interface with the Louisiana Medical Marijuana Tracking System to allow for seed-to-sale tracking of all medical marijuana transactions (including deliveries and waste disposal) conducted at the facility.

B. The system shall be capable of documenting the amount of marijuana, dosage form, and amount provided under the active recommendation for each patient registered at the retailer.

C. Additionally, the system shall allow the agent or pharmacist to cross-reference the patient's sales history in the LMMTS. A retailer shall perform such cross-reference prior to sale, and shall refuse a sale if necessary to ensure that no patient receives more than 71 g of raw marijuana in a 14-day period or any amount of another dosage form in excess of the authorized clinician's recommendation.

D. Retailer staff must maintain a perpetual inventory of marijuana products received, held, sold, and disposed of by the facility. Inventory reconciliations shall be conducted on at

least a semi-annual (every six months) basis and documents related to reconciliations shall be maintained on the premises for at least two calendar years.

E. Retailer staff must enter information into the LMMTS for new patients within 24 hours of receipt of a recommendation from an authorized clinician. The patient profile information provided must include the following elements:

1. unique patient identification number that will attach to all relevant records;
2. status of the recommendation (active or inactive);
3. recommendation start date; and
4. data on purchase limits or restrictions other than those referenced in Subsection C above, if applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **§2507. Deliveries, Fulfillment and Labeling/Packaging Requirements**

A. Retailers may refuse delivery from a manufacturing facility of marijuana products if it is determined at receiving that the product is misbranded, adulterated, expired, or otherwise in a non-saleable condition. Such refusals shall be recorded in the POS system and the Louisiana Medical Marijuana Tracking System.

B. Marijuana products may be issued by appropriate retailer staff to a patient or the patient's caregiver on the premises or by delivery to the patient's or caregiver's address.

1. Patients or caregivers must have an authorized clinician send a paper or electronic recommendation bearing the clinician's signature directly to the retailer prior to fulfillment.

2. Recommendations must include the following information, at a minimum:

- a. the name, address, and telephone number of the authorized clinician;
- b. name, address and date-of-birth of the patient;
- c. the name of the debilitating medical condition listed in R.S. 40:1046 for which the therapeutic marijuana will act as a treatment;
- d. if applicable, a list of any dosage forms of marijuana that may be contraindicated by the patient's debilitating condition or co-morbidities;
- e. date of recommendation and an expiration date not to exceed 12 months from the date of the recommendation; and

f. self-certification that the authorized clinician is in good standing with the relevant licensing board as specified in R.S. 40:1046(B). For nurse practitioners, the self-certification shall affirmatively state that the recommender has prescriptive authority conferred by the State Board of Nursing.

3. The retailer shall provide laboratory test results for any marijuana product available for sale to the patient upon request.

C. Deliveries must be made available upon request at least once per month per ZIP code serviced by the retailer; however, no delivery may be made outside the state of Louisiana.

D. Any marijuana product that is part of a delivery that is not completed must be returned to the retailer of origin, and if the packaging integrity cannot be verified by retailer staff, it

must be disposed of by a department-approved method and that disposal documented in the firm's POS system.

E. Marijuana products, whether provided on- or off-premises, must be packaged in tightly-sealed and light-impermeable packaging.

F. Retailers may utilize a recommendation issued by an authorized clinician to supply a patient on multiple occasions with marijuana products, provided that the fulfillment is consistent with the requirements of §2505.C and that the fulfillment does not exceed the amount indicated on the recommendation or consist of a dosage form not specified under §2103.B of this Subpart.

G. As long as no marijuana product is provided to an out-of-state address, retailer staff may provide marijuana products to a visiting qualifying patient in compliance with the provisions of this Section and R.S. 40:1046.1. A retailer shall retain all documents required by R.S. 40:1046.1(C)(2) for at least three years.

H. No marijuana product may be sold by the retailer unless it bears a label including the following information:

1. the name, address, and telephone number of the retail firm;
2. the name of the authorized clinician recommending the product;
3. the name of the patient;
4. date of fulfillment;
5. transaction identification number, which shall be a unique identifier;
6. the identity of the product;
7. quantity of product in the package;
8. directions for use; and
9. expiration date, as provided by the manufacturing facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

#### **§2509. Disposal of Marijuana Product Waste**

A. Marijuana product in inventory that is no longer suitable for sale due to deterioration, expiration or other conditions rendering the product unsaleable shall be stored in a temporary morgue area pending disposal. Waste products may not be held on the premises longer than thirty days.

B. Waste products must be rendered into a non-usable state by grinding and mixing with non-marijuana waste products such that the end product is at least 50% non-marijuana waste by volume, and this end product may then be transported from the premises and disposed of by means of the following processes:

1. composting;
2. incineration; or
3. compaction and subsurface burial.

C. Acceptable materials for mixing include yard waste; paper or cardboard waste; plastic waste; or soil.

D. Retailer personnel must document every disposal activity in the facility's POS system, including the identifying characteristics of the waste, the quantity of waste, and the method of its disposal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

#### **§2511. Basic Facility Requirements**

A. Retailers shall provide and maintain finishes to floors, walls, and ceilings in all public areas that are smooth, light-in-color, durable, and easy-to-clean.

B. Retailers shall be sufficient in size to allow space for the following:

1. orderly placement of equipment and materials to minimize the possibility of contamination;
2. holding of waste products in secure storage while pending disposal;
3. storage of packages, containers, and labeling;
4. packaging and labeling operations;
5. fulfillment operations; and
6. secure storage of marijuana products pending order fulfillment.

C. Retailers shall provide lighting, ventilation, and screening (if applicable) as needed to do the following:

1. prevent contamination of products in storage with extraneous adulterants; and
2. minimize dissemination of microorganisms from one area to another.

D. Retailers shall provide locker rooms adequate for the storage of employee personal belongings.

E. Retailers shall provide a plumbing system designed and installed to meet the requirements of the Uniform Construction Code. Additionally the system shall include the following:

1. no cross-connections between any potable and non-potable water supply;
2. at least one hand lavatory in the storage/fulfillment areas equipped with hot-and-cold running water by means of a mixer-type faucet as well as adequate supplies of hand soap and paper towels and a suitable waste-receptacle located nearby.
3. at least one utility sink for the disposal of mop wastes; and
4. adequate means of sanitary disposal of wastewater.

F. Retailers shall provide adequate means of conveyance, storage, and disposal of refuse and non-medical marijuana waste products so as to minimize the development of odors, prevent waste products from becoming an attractant to and harborage for vermin, and prevent contamination of marijuana products, other products, facility surfaces, grounds, or water supplies.

G. Retailers shall provide toilet rooms as required by the Uniform Construction Code. Additionally toilet rooms shall be maintained in proper working order and in a sanitary condition. Adequate security measures shall be put into place to prevent the use of marijuana products in toilet rooms and signage shall be provided advising that such use is prohibited by law. Toilet rooms shall be equipped with self-closing doors and shall provide signage advising employees to wash hands with soap and water after using the toilet.

H. Retailers shall be located on premises that are maintained free from the following:

1. disused equipment, waste, debris or other materials that may serve as harborage for or attractants to vermin;
2. overgrowth of vegetation;
3. poorly-drained areas; and
4. excessively-dusty areas.

I. Facilities must be maintained in a clean and sanitary condition, free of the presence of insects, rodents, and other vermin.

J. Toxic chemicals used in cleaning and maintenance operations must be properly labelled, used in accordance with the manufacturer's directions, and stored securely in such a manner as to prevent them from becoming a source of contamination to marijuana products. Toxic chemicals not used in the firm's routine operations may not be stored on the premises.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

Ralph L. Abraham, MD  
Surgeon General  
and  
Bruce D. Greenstein  
Secretary

2510#011

## DECLARATION OF EMERGENCY

### Department of Health Office of Public Health

Retail Food Establishments  
(LAC 51:XXIII.2101)

The Department of Health, Office of Public Health (LDH/OPH), pursuant to rulemaking authority granted by R.S. 40:4, and to the emergency rulemaking authority granted by R.S. 40:4(A)(13), hereby adopts the following Emergency Rule for the protection of public health. This Emergency Rule is promulgated specifically in accordance with R.S. 49:962 of the Administrative Procedure Act (R.S. 49:950, et seq.).

The LDH/OPH finds it necessary to promulgate an Emergency Rule effective October 10, 2025. This Emergency Rule is necessary to prevent imminent peril to the public health, safety, or welfare. Current LDH/OPH rules in LAC 51:XXIII do not explicitly prohibit the use of crustacean and molluscan shells as serving containers, and due to the gratiose and porous nature of these biological materials, they are unable to be properly cleaned and sanitized for use as a food-contact surface for food service. Immunocompromised individuals (including the elderly, very young children, pregnant women, and those with autoimmune disorders or undergoing treatment for cancer) are especially vulnerable to pathogens transmitted by improper sanitation of shellfish, including *Vibrio* and *Campylobacter* spp. This Emergency Rule stipulates clearly that use of crustacean and/or molluscan shellfish shells as food-service containers may only be allowed in the context of an animal removed briefly from the shell for preparation and then immediately returned to the same shell for single service or the use of a cephalothorax from a crawfish from which the viscera have been previously removed for the purposes of service of crawfish bisque by adding an edible stuffing to the cephalothorax.

Accordingly, the following Emergency Rule, effective October 10, 2025, shall remain in effect for a maximum of 180 days, or until the final Rule is promulgated, whichever occurs first.

## Title 51

### PUBLIC HEALTH—SANITARY CODE

#### Part XXIII. Retail Food Establishments

#### Chapter 21. Equipment and Utensils

#### §2101. General

##### [formerly paragraph 22:13]

A. ...

B. Mollusk and crustacean shells may not be used as serving containers. This prohibition does not apply to the removal of the animal from the shell for preparation then returning to the same shell for service or the use of a cephalothorax from a crawfish from which the viscera have been previously removed for the purposes of service of crawfish bisque by adding an edible stuffing to the cephalothorax.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:324 (February 2002), repromulgated LR 28:1417 (June 2002), amended LR 28:2532 (December 2002), amended by the Department of Health, Office of Public Health, LR 43:1392 (July 2017), amended LR 52:

Ralph L. Abraham, MD  
Surgeon General  
and  
Bruce D. Greenstein  
Secretary

2510#065

## DECLARATION OF EMERGENCY

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

2025 Commercial Greater Amberjack Season Modification

Louisiana's commercial greater amberjack season was previously scheduled to remain open through the remainder of 2025. The regional administrator of NOAA Fisheries has informed the secretary that the 2025 commercial annual catch target has been met or is projected to be met. The season for the harvest of greater amberjack in the federal waters of the Gulf of America was closed on September 2, 2025 by NOAA Fisheries. Compatible season regulations in state waters are preferable to provide effective rules and efficient enforcement for the fishery, and to prevent overfishing of the species in the long term.

In accordance with the emergency provisions of R.S. 49:962, which allows the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to use emergency rules to set finfish seasons, R.S. 56:326.3 which provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish, and the authority given to the secretary by the commission in LAC 76:VII.335.G.5 to modify opening and closing dates of any commercial or recreational reef fish seasons in Louisiana state waters as deemed necessary in order to maintain consistency with modifications in adjacent federal waters, the secretary hereby declares:

The season for the commercial harvest of greater amberjack in Louisiana state waters shall close at 12:01 a.m. on September 11, 2025 and remain closed until the start of the 2026 commercial season, currently scheduled to open on January 1, 2026. Effective with this closure, no person shall commercially harvest, possess, purchase, barter, trade, sell or attempt to purchase, barter, trade, or sell greater amberjack whether within or without Louisiana waters. Nothing shall prohibit the possession or sale of fish legally taken prior to the

closure providing that all commercial dealers possessing greater amberjack taken legally prior to the closure shall maintain appropriate records in accordance with R.S. 56:306.5 and R.S. 56:306.6

Tyler M. Bosworth  
Secretary

2510#001



# Rules

## RULE

### Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences Agricultural Chemistry and Seed Commission

Seeds (LAC 7:XIII.Chapters 7 and 12)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., notice was given that the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, has adopted additions to LAC 7:XIII.707, 755, and 763, and has adopted 1201, 1203, 1205, 1207, and 1209. The rule change was made in accordance with R.S. 3:1433, which gives the Agricultural Chemistry and Seed Commission the authority to adopt rules and regulations. The agency evaluated the Rule and determined it was necessary, consistent with law, and aligned with the agency's mission. The benefits of the Rule outweigh the burdens and costs. This Rule was written in plain language in an effort to increase transparency.

The rule change provides updates to the Bahia Grass Seed Certification Standards, Sugarcane Certification Standards, and Sweet Potato Certification Standards. The Hemp Seed Certification Standards were proposed for adoption. This Rule puts the department more in line with the National Association of Official Seed Certifying Agencies (AOSCA) standards. This Rule is hereby adopted on the day of promulgation.

## Title 7

### AGRICULTURE AND ANIMALS

#### Part XIII. Seeds

#### Chapter 7. Certification of Specific Crops/Varieties

##### Subchapter A. Grasses and Clovers

##### §707. Bahiagrass Seed Certification Standards

A. ...

Factor	Foundation	Registered	Certified
Land Requirement	5 yrs.	1 yr.	1 yr.
Isolation	1,320 ft.	660 ft.	330 ft.
Other Varieties*	1:1,000	1:100	1:50
Other Grass with Inseparable Seed	10 Plants per Acre	10 Plants per Acre	25 Plants per Acre
Other Crops	Other crops with seed that can be separated will be permitted in the field.		

\*Maximum permitted ratio

B. ...

Factor	Foundation	Registered	Certified
Pure Seed	65.00%	65.00%	65.00%
Inert Matter	35.00%	35.00%	35.00%
Total Other Crop Seed			
Other	0.20%	1.00%	2.00%
Kinds	0.10%	0.25%	0.50%
Other Varieties	0.10%	1.00%	2.00%
Noxious Weed Seed	None	None	None
Other Weed Seed	0.50%	0.50%	1.00%
Percent Total Viability*	70.00%	70.00%	70.00%

\*Percent germination plus percent dormant seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:568 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013), amended LR 51:1568 (October 2025).

#### Subchapter B. Grain and Row Crop Seeds

##### §755. Sweet Potato (*Ipomoea batatas*) Certification Standards

A. The General Seed Certification Requirements provided in this Part apply to all crops, and together with the following specific standards constitute the certified Sweet Potato seed standards.

B. Requests for exemptions to any requirement set forth in this Section shall be submitted to LDAF in writing. In the case that LDAF approves an exemption, the grower may be required to implement additional LDAF approved safeguards to insure the health and integrity of the certified plants or roots.

C. Breeder Seed Stock entering the certification program shall be sourced from an LDAF approved virus elimination program, maintained in tissue culture, and tested for known pathogens proven to be detrimental to the health of the seed stock.

D. Definitions. The following definitions apply to this Section only.

*Clean Plant Center*—sweet potato plant propagation facility approved by state certifying agencies that provide micropropagated, virus-tested, and apparently pest-free nuclear plant stock.

*Field*—a clearly defined contiguous area containing sweet potato production of the same variety throughout the area.

*Generation*—age of material; generation number advances upon exposure to subsequent unprotected environments (growing seasons).

*LDAF*—the Louisiana Department of Agriculture and Forestry.

*Mericlone*—is a plant clonally propagated from a single apical meristem.

*Micropropagation*—is the art and science of plant multiplication in-vitro. Sweet potato is most commonly micropropagated in tissue culture by aseptic transfer of stem segments containing one to three nodes placed in sterile medium to produce nuclear plants.

*Symptomatic Plant* - a plant that exhibits an indication or symptom of a disease, mutation, pest, virus, or other problem that may affect sweet potato production.

*Vine cutting or Slip*—a stem section of suitable length with at least 2 - 3 nodes for transplanting in the greenhouse or field.

*Virus-Tested*—a plant that has been tested for the presence of viruses by grafting a sweet potato shoot to the Brazilian morning glory (*Ipomoea setosa*), by negative PCR assay for destructive sweet potato viruses, or by other standards established by the National Clean Plant Network - Sweet Potato.

#### E. Classes and sources of certified planting stock

1. Breeder Seed Stock is sweet potato propagation material identified and described by the breeder or developer and is entered into and maintained by a Clean Plant Center. This material is obtained through methods approved by LDAF.

2. Nuclear Plant is a plant derived from Breeder Seed Stock. It is virus-indexed, apparently free of other pests, and evaluated in field test for trueness-to-type. This material is maintained under strict isolation by Clean Plant Centers. Nuclear Plants may exist as in-vitro tissue culture plantlets, or plants grown in an approved greenhouse. LDAF inspections begin with the inspection of Nuclear Plants located at Clean Plant Centers.

3. G0 Plants are greenhouse plants produced by certified growers from Nuclear Plants. G0 plants may be used to produce G0 plants when located within a greenhouse unexposed to a field environment. When exposed to a field environment, G0 plants become G1 plants.

4. G1 Seed are produced from G0 and G1 plants. Vine cuttings may be taken repeatedly from this original G1 planting to establish subsequent G1 plantings. All subsequent cuttings must occur within the same year. Vines and roots produced during this first year in the field are designated as G1.

5. G2 Seed (second field generation) is established from G2 plants grown from G1 roots. Vine cuttings may be taken repeatedly from this original G2 planting to establish subsequent G2 plantings. All subsequent cuttings must occur within the same year. Vines and roots produced during this second year of field production are designated as G2.

6. G3 Seed (third field generation) is established from G3 plants grown from G2 roots. Vine cuttings may be taken repeatedly from this original G3 planting to establish subsequent G3 plantings. All subsequent cuttings must occur

within the same year. Vines and roots produced during this third year of field production are designated as G3.

#### 7. Certified Plant Cutting Designations

a. *G0 Cuttings*—vine cuttings from G0 plants grown in a certified greenhouse.

b. *G1 Cuttings*—vine cuttings from G1 plants that are established in the field from G0 cuttings which become G1 cuttings once they leave the greenhouse or from vine cuttings from G1 plants. G1 cuttings produce G1 roots.

c. *G2 Cuttings*—vine cuttings from sprouts from bedded G1 roots or from vine cuttings from G2 plants. G2 cuttings produce G2 roots.

d. *G3 Cuttings*—vine cuttings from sprouts from bedded G2 roots or from vine cuttings from G3 plants. G3 cuttings produce G3 roots.

#### F. Greenhouse Requirements

1. Greenhouses containing certified sweet potato plants or roots of any generation are subject to these requirements.

2. LDAF must approve greenhouses before Nuclear Plants are released to the grower for the production of G0 stock.

3. Grower shall provide a copy of the LDAF greenhouse inspection report to the Clean Plant Center before plants are released to the grower.

4. Greenhouses shall meet the following requirements:

a. Greenhouses shall be sanitized or maintained free of all plants a minimum of six weeks prior to receiving plants at the beginning of the crop year.

b. Greenhouses shall only contain nuclear stock or G0 plants that originated from nuclear stock; no other plants allowed in the greenhouse except for approved indicator plants.

c. Entry points shall be double doors or single door with air curtain to prevent aphid, whitefly or other injurious pest entry, and designed to restrict entry by unauthorized personnel.

d. A system for sanitizing hands and feet prior to entry into the growing areas of the greenhouse shall be maintained and proper signage relaying that information posted at entries.

e. Yellow sticky traps shall be used in an amount to adequately monitor aphids, whiteflies and other injurious insects.

f. Any openings such as vents, and windows shall be covered with insect-proof screens to prevent entry of aphids, whiteflies and other injurious insects.

g. An integrated pest management program shall remain in place to control aphids, whiteflies and other injurious insects.

h. Cutting tools shall be decontaminated on a regular basis and always decontaminated prior to being used between groups of plants.

i. All growing media and containers must be new, or sanitized by a method approved by LDAF.

j. Isolation

i. No plants are allowed to grow within 10 feet of the greenhouse, except for turf grass used for stabilization of the soil. Weeds shall be controlled by grower.

ii. The perimeter of the greenhouse shall be a minimum of 250 feet away from any non-certified sweet potatoes, greenhouses containing non-certified plants, sweet potato storage sheds, cull piles or other potential sources of

sweet potato viruses. Upon written request of the grower, LDAF may allow an isolation distance of less than 250 feet.

iii. Different varieties/cultivars shall be clearly identified and separated within the greenhouse.

5. Producer Inspections

a. Producer shall inspect plants routinely. If symptomatic plants are found, they shall be removed and destroyed.

b. The grower shall keep a log book documenting routine inspections and the variety and number of plants that were removed. The log book shall be made available to LDAF upon request.

c. Grower shall inspect each greenhouse and its perimeter routinely to ensure that the greenhouse isolation requirements are being met.

6. LDAF Inspections

a. LDAF will inspect certified greenhouses monthly and at other times as needed if problems are observed. If symptomatic plants are found during these inspections the grower shall rogue and dispose of these plants properly in order to maintain certification status.

b. A unit of certification shall be the entire greenhouse and such unit cannot be subdivided for the purpose for certification.

7. Specific Greenhouse Requirements

Maximum Tolerance Allowed		
Factor	Nuclear Plants	G0 Plants
Bacterial Stem Rot ( <i>Erwinia chrysanthemi</i> )*	0	0
Black Rot ( <i>Ceratocystis fimbriata</i> )*	0	0
Scurf ( <i>Monilochaetes infuscans</i> )*	0	0
Root-Knot Nematode ( <i>Meloidogyne spp.</i> )	0	0
Feathery Mottle (sweet potato feathery mottle virus [SPFMV])*	0	0
Russet Crack (a strain of SPFMV)*	0	0
Internal Cork*	0	0
Wilt ( <i>Fusarium oxysporum f. sp. batatas</i> )*	0	0
Sweetpotato Weevil ( <i>Cylas formicarius</i> )	0	0
Exotic or hazardous pests	0	0
Variety mixture	0	0
Off-types (mutations)	0	0

\*Plants or mini-roots exhibiting symptoms

G. Field Requirements

1. Individual certified fields shall only contain certified sweet potato plants. Upon written request of the grower, LDAF may allow non-certified G0 plants, that originated from nuclear stock, to be produced in certain fields.

2. Sweet potato seed shall not be eligible for certification if produced on land which:

a. has produced sweet potatoes, received manure or sweet potato residue in the previous two years;

b. is subject to drainage from fields in which sweet potatoes are currently growing or have been grown in the previous three years.

3. Production fields shall be a minimum of 750 feet from any non-certified sweet potato plants. LDAF may allow an isolation distance of less than 750 feet upon written request of the grower.

4. Different generations and varieties must be clearly identified and separated by a minimum of five feet clean and tilled break.

5. An LDAF approved program shall be in place to control perennial morning glory species and volunteer sweet potato plants.

6. Inspections

a. Grower shall inspect fields weekly during the growing season and rogue any symptomatic plants found. LDAF shall be informed if any problems concerning certification requirements are found.

b. LDAF will perform a minimum of one seed bed inspection to determine that quality plants are being produced and that plants are apparently free of injurious insects and harmful diseases. LDAF may perform additional seed bed inspections as required to confirm standards are being met.

c. LDAF will perform a minimum of two inspections on each production field during the growing season. The first field inspection shall be made before vines have covered the ground so that symptomatic plants may be easily identified. The second inspection shall be made within two weeks prior to harvest or no earlier than ninety days after planting.

d. The unit of certification for production is a field and cannot be subdivided for the purpose for certification.

7. Specific Field Plant Requirements (Vine inspection standard)

Maximum Tolerance Allowed			
Factor*	G1 Plants	G2 Plants	G3 Plants
Bacterial Stem Rot ( <i>Erwinia Chrysanthemi</i> )	None	None	None
Fusarium Wilt ( <i>Fusarium oxysporum f. sp. Batatas</i> )	None	None	None
Sweetpotato Weevil ( <i>Cylas Formicarius</i> )	None	None	None
Exotic or hazardous pests**	None	None	None
Off-types (Mutations)	0.05%	0.05%	0.10%
Variety or cultivar mixture	0.3%	0.5%	0.5%

\*If other severe factors are observed at time of inspection, rejection of all or a portion of a field may occur.

\*\*If sampled roots report presence of guava root-knot nematode (*Meloidogyne enterolobii*), the entire field will not be eligible for certification.

H. Seed Root Storage Requirements

1. The procedures for cleaning and sanitizing the structure where certified sweet potatoes are stored shall be in accordance with recommendations from the Louisiana Agricultural Experiment Station and approved by LDAF prior to any sweet potatoes being stored in the structure.

2. LDAF will perform one seed root storage inspection after harvest and before shipment. A minimum of twenty percent of sweet potatoes entered for certification shall be inspected during the storage inspection.

3. Sweet potatoes grown for certification shall be stored in new containers (crates, pallet boxes, etc.) or used containers that have been sanitized by a method approved by LDAF.

4. Certified seed roots shall be stored in a separate room from any non-certified roots, properly identified, separated by a minimum of two feet wide aisles between crates, and shall not be exposed to dust from grading and packing lines.

5. Specific Seed Root Tolerance Standards

Maximum Tolerance Allowed	
Factor	G1, G2, G3 Seed Roots
Surface rots ( <i>Fusarium spp.</i> ) & Soft Rots ( <i>Rhizopus spp.</i> )	5.0%
Bacterial Root Rot ( <i>Erwinia spp.</i> )	None
Black Rot ( <i>Ceratocystis fimbriata</i> )	None
Scurf ( <i>Monilochaetes infuscans</i> )	None
Streptomyces soil rot ( <i>Streptomyces ipomoeae</i> )	0.5%
Root-Knot Nematode ( <i>Meloidogyne spp.</i> )	5.0%
Guava Root-Knot Nematode ( <i>Meloidogyne enterolobii</i> )	None
Russet Crack (a strain of SPFMV)	None
Wilt ( <i>Fusarium oxysporum f. sp. batatas</i> )	None
Internal Cork	None
Wireworm ( <i>Condoderus spp.</i> )	*
Sweetpotato Weevil ( <i>Cylas formicarius</i> )	None
Exotic or hazardous pests	None
Variety mixture	None

\*Severe damage shall be reason for rejection of certified status.

I. General Standards for Plants and Seed Roots

1. Plants and roots shall be apparently free of harmful diseases, injurious insects, and other harmful pests and true to variety characteristics.

2. All cuttings shall be made at least one inch above the surface of the soil or growing medium.

3. Cuttings shall be of satisfactory size for commercial planting, approximately 5"-12" in length.

4. Cuttings shall be loosely packed and shipped in boxes and shall not be shipped with non-certified plants.

5. Roots shall be the correct color, fresh, firm, and a minimum of one inch in diameter, four inches in length and 30 ounces maximum weight.

J. Tagging and Certificate Reporting System

1. An official, LDAF issued Bulk Retail Sale Certificate shall accompany each sale of certified sweet potato cuttings/slips. An official, LDAF issued certified tag shall accompany each sale of certified seed roots.

2. The grower shall send a copy of each completed Bulk Retail Sales Certificate to LDAF at the end of each quarter (March 31, June 30, September 30, December 31), or upon request by LDAF. Grower shall maintain a copy of each issued certificate for their records.

3. A complete record of certified sweet potato cuttings/slips and seed roots sales shall be maintained and made available to LDAF upon request. The record shall include, but not limited to:

- purchaser's name,
- kind and variety/cultivar,
- class,
- date of shipment; and
- number of cuttings/slips or bushels shipped.

K. Quarantine of Certification Area

1. If sweetpotato weevil (*Cylas formicarius*) is found in any field, greenhouse, storage, packing shed, or other structure or area affiliated with the production of certified sweet potatoes plants or roots, or within 300 yards of any such structure or area, then the entire area and all structures affiliated with the certification process shall be immediately quarantined in accordance with the sweetpotato weevil quarantine regulations found in Subchapter C of Part XV of Title 7 of the Louisiana Administrative Code (LAC 7:XV.133 et seq.).

2. If any plant pest or disease subject to regulation or quarantine under Part II or Part III of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950, (R.S. 3:1651 et seq.) that may affect sweet potato production is found in any field, greenhouse, storage or packing shed, other structure, or area affiliated with the production of certified sweet potatoes plants or roots, then the entire area and all structures affiliated with the certification process may be subject to quarantine in accordance with applicable law and regulations.

3. Any sweet potato plants or roots produced or stored in a field, greenhouse, storage shed, packing shed, or other structure located within an area quarantined as a result of the detection of sweetpotato weevil shall be ineligible for final certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:579 (November 1982), amended LR 9:202 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 22:1210 (December 1996), LR 36:1220 (June 2010), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013), amended LR 40:755 (April 2014), LR 44:1855 (October 2018), LR 45:1168 (September 2019), repromulgated LR 45:1438 (October 2019), amended LR 51:1568 (October 2025).

§763. Sugarcane (Tissue Culture) Certification Standards

- A. - D. ...
- E. Field Standards

Factor	Foundation	Registered	Certified
Isolation	10 ft.	10 ft.	10 ft.
Other Varieties (obvious)	None	1.00%	1.00%
Off-Type (definite)	None	1.00%	1.00%
Noxious Weeds:			
Johnsongrass	None	5 Plants/Acre	5 Plants/ Acre
Itchgrass	None	1 Plant/Acre	1 Plant/ Acre
Black Nightshade	None	3 Plants/Acre	3 Plants/Acre
Harmful Diseases:			
*Sugarcane Yellow Leaf Virus	None	20.00%	20.00%
**Sugarcane Mosaic	None	10.00%	10.00%
**Sugarcane Smut	None	0.50%	0.50%
Harmful Insects:	None	None	None
***Sugarcane Stem	None	5.00%	5.00%
*Determined by lab analysis for the LSU Sugarcane Disease Detection Lab			
**Plants exhibiting symptoms			
***Determined by percentage of internodes bored			

F. - G.2.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 23:1284 (October 1997), amended by the Department of Agriculture and Forestry, Office of the Commissioner, Seed Commission, LR 30:1143 (June 2004), amended by the Department of Agriculture and Forestry,

Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:1609 (August 2007), LR 36:1223 (June 2010), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013), amended LR 40:756 (April 2014), LR 42:212 (February 2016), LR 43:1898 (October 2017), LR 51:1571 (October 2025).

## **Chapter 12. Hemp (*Cannabis sativa* L. *Subsp. sativa*) Seed Certification Standards**

### **§1201. General Hemp Seed Certification Standards**

A. The General Seed Certification Standards provided in this Part apply to all crops, and together with the following specific standards constitute the certified Hemp standards.

B. Definitions. The following definitions apply only to this Section.

*AOSCA*—the Association of Official Seed Certifying Agencies

*Approved Cultivar*—any variety designated as eligible for production by federal or local regulatory authorities.

*Breeder Plant Stock*—propagation material identified and described by the breeder or developer. The breeder must also declare and document the methods in which parent lines are selected and how the Plant Stock is maintained.

*Clones*—asexually propagated progeny genetically identical to the stock plant.

*Cuttings*—portions of stems containing leaves which are rooted to produce clones.

*Dioecious Type*—hemp plant with male and female flowers on separate plants.

*Feminized Hemp Seed*—the progeny of a dioecious female hemp plant that has been pollinated with pollen derived from the same or another dioecious female hemp plant that has been induced to produce pollen. It is a true female plant with XX chromosomes.

*Field*—the production area enclosed by natural borders such as a head lane, ditch, tree line, building, or road.

*Hemp*—is defined by the U.S. Domestic Hemp Production Program as the plant species *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis or as otherwise defined by federal law.

*Hermaphroditic Plants*—hemp plants exhibiting male and female flowers, not true females.

*LDAF*—the Louisiana Department of Agriculture & Forestry.

*Micropropagation*—the science of plant multiplication in-vitro.

*Monoecious type*—hemp plant with male and female flowers on the same plant.

*Pollen Parent*—a reversed female hemp plant from the female line or another reversed female line to create a hybrid.

*Reversed Female*—female hemp plants that are induced to produce pollen in replacement of true male plants.

*Seed*—a flowering plant's unit of reproduction capable of developing into another such plant.

*Seed Parent*—female hemp plants used to produce feminized hemp seed.

*Sporting Male*—is a female hemp plant that produces sterile male flowers.

*Structure*—an enclosed growth facility.

*THC*—total delta-nine ( $\Delta 9$ ) tetrahydrocannabinol, which is the component of hemp regulated by federal or local regulatory authorities.

*Transplants*—hemp plants produced from seeds or vegetatively from cuttings, prior to stock plant flowering.

*Variety*—a subdivision of a kind that is distinct, uniform, and stable; "distinct" in the sense that the variety can be differentiated by one or more identifiable morphological, physiological, or other characteristics from all other varieties of public knowledge; "uniform" in the sense that variations in essential and distinctive characteristics are describable; and "stable" in the sense that the variety will remain unchanged in its essential and distinctive characteristics and its uniformity when reproduced or reconstituted as required by the different categories of varieties.

*Volunteer Plant*—a hemp plant that was not intentionally planted and is the result from a previous crop.

C. General Certification Standards for Hemp Seed, Feminized Hemp Seed, Vegetatively Propagated Hemp and Hemp Transplants

1. All certified production of hemp crops is subject to license application approval that may be required by LDAF or other regulatory authority.

2. Growers must meet all applicable state and federal hemp regulations and requirements.

3. Only varieties of hemp approved by LDAF are eligible for certification.

4. The allowable area of certified hemp production shall be determined by LDAF.

5. Growers may be required to obtain additional tests and submit results to LDAF before the seed can be certified.

6. The presence of Broomrape (*Orobanche spp.*) is prohibited in all certified hemp crops and shall be cause for rejection of certified status.

7. Excessive weeds obscuring required inspections or any other condition which prevents thorough inspection shall be cause for rejection.

8. Seed coated or pelleted by non-approved conditioners shall not be eligible for certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1572 (October 2025).

### **§1203. Hemp Seed Certification Standards**

#### **A. Land Requirements**

1. Hemp crops for Foundation and Registered classes shall not be grown on land which produced a hemp crop in any of the preceding 3 years.

2. Hemp crops for certified class shall not be grown on land which:

i. Produced a certified crop of the same variety in the preceding year.

ii. Produced a non-certified crop of hemp or a different variety of hemp in either of the preceding 2 years.

#### **3. Inspections**

a. LDAF will inspect fields at a stage of growth when varietal purity is best determined. Crops not inspected at the proper stage for best determining varietal purity may be cause for rejection of certified status.

b. LDAF will perform a minimum of two inspections on monoecious types and unisexual hybrids. The first inspection for all classes of monoecious types shall be made just before or at the early flowering stage.

c. LDAF will perform at least one inspection on the Registered and Certified classes of dioecious types. The first inspection for all classes of dioecious types must be made after flowering when male plants are beginning to senesce.

d. The second inspection for monoecious types, unisexual hybrids and Foundation class of dioecious types must be made during seed development.

e. The presence of volunteer hemp plants within isolation areas may be cause for rejection of certified status.

4. Isolation Requirements

a. There shall not be any *Cannabis sativa* L. plants within the isolation area.

b. The isolation requirements shall be met prior to flowering and crop inspection.

Table 1. Minimum Isolation Distances Required Between Classes of Certified Hemp and Other Hemp Crops		
Certified Hemp Crop	Other Hemp Crops	Isolation Distance (feet)
Dioecious type – Foundation	- Different varieties of Hemp	15,750
	- Non-certified crop of Hemp	15,750
	- Lower certified class seed crop of same variety	6460
Dioecious type – Registered	- Same class of certified seed crop of same variety	10
	- Different varieties of Hemp	15,750
	- Non-certified crop of Hemp	15,750
Dioecious type – Certified	- Seed crop of same variety that meets certified standards for varietal purity	5250
	- Seed crop of same variety that meets registered standards for varietal purity	3
	- Different varieties of Hemp	2630
	- Non-certified Hemp	2630
	- Planted with certified seed of the same variety that meets certified standards for varietal purity	660
Monoecious type – Foundation	- Seed crop of same variety that meets certified standards for varietal purity	3
	- Dioecious variety of Hemp	15,750
	- Non-certified crop of Hemp	15,750
	- Other Monoecious varieties	9690
	- Lower certified class seed crop of same variety	9690
Monoecious type – Registered	- Same class of certified seed of same variety	16
	- Dioecious variety of Hemp	15,750
	- Non-certified crop of Hemp	15,750
	- Different varieties of the same type of Hemp (Monoecious or Female Hybrid)	6460
Monoecious type – Certified	- Seed crop of same variety that meets certified standards for varietal purity	3230
	- Seed crop of same variety that meets Registered standards for varietal purity	3
	- Dioecious variety of Hemp	3230
	- Non-certified crop of Hemp	3230
Monoecious type – Certified	- Different varieties of the same type of Hemp (Monoecious or Female Hybrid)	660
	- Planted with certified seed of the same variety that meets certified standards for varietal purity	660
	- Seed crop of same variety that meets certified standards for varietal purity	3

5. Impurity Standards

a. Impurities shall be removed by the grower prior to crop inspection.

b. Any combination of impurities may be cause for rejection of certified status.

Table 2. Maximum Number of Impurities Permitted in Approximately 10,000 Plants of the Certified Crop		
Type and Class	Maximum Impurity Standards per 10,000 Plants in Hemp Seed Crops	
	Maximum Number of Dioecious Male Plants Shedding	Maximum Number of Off-Types or Other Varieties
Dioecious type – Certified	None	20
Monoecious type – Foundation	1	3
Monoecious type – Registered	2	10
Monoecious type – Certified	100	20

Table 2. Maximum Number of Impurities Permitted in Approximately 10,000 Plants of the Certified Crop		
Type and Class	Maximum Impurity Standards per 10,000 Plants in Hemp Seed Crops	
	Maximum Number of Dioecious Male Plants Shedding	Maximum Number of Off-Types or Other Varieties
Dioecious type – Foundation	None	3
Dioecious type – Registered	None	10

6. Seed Standards

Factor	Foundation	Registered	Certified
Pure seed (minimum)	98.00%	98.00%	98.00%
Inert matter (maximum) <sup>1</sup>	2.00%	2.00%	2.00%
Weed seeds (maximum)	0.10%	0.10%	0.10%
Total other crop seeds (maximum)	0.01%	0.03%	0.08%
Other varieties (maximum)	0.01%	0.05%	0.10%
Other kinds (maximum) <sup>2</sup>	0.01%	0.03%	0.07%
Germination (minimum) <sup>3</sup>	80.00%	80.00%	80.00%

<sup>1</sup> Inert matter shall not include more than 0.5 percent of material other than seed fragments of the variety under consideration.  
<sup>2</sup> Other crop kinds shall not exceed 2 per lb. (454 grams) for Foundation; 6 for Registered; 10 for Certified.  
<sup>3</sup> Exclusive of dormancy, firm or hard seed, or any other reference to viability.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:1433.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1572 (October 2025).

**§1205. Feminized Hemp Seed Certification Standards**

**A. Designation of Classes of Seed**

1. Only the certified class is allowed for the production of feminized hemp seed, except for foundation class for the purpose of variety maintenance.

2. Feminized seed varieties must be produced from seed or clonal stocks approved by LDAF. These seed and clonal stocks shall consist of female lines and chemically assisted pollen shedding female lines of any class of certified seed or clones.

**B. Growth Facility Requirements**

1. Growth facility shall only contain certified hemp plants or plant material.

2. Multiple feminized hemp seed varieties may be maintained in the growth facility.

3. Other hemp plants are prohibited, except for pollen parent plants that are the intended pollen source.

4. Growth facility shall be free of all plants for a minimum of six weeks prior to receiving plants at the beginning of the crop year or production cycle unless the previous crop was the same certified variety.

5. If pollen sanitation is used to reduce the six-week hemp free period, a sanitation plan must be submitted to and approved by LDAF prior to introducing the new certified plant material into the growth facility.

6. Pollen sanitation is not required if the entire greenhouse facility produces only one pollen source, and other female lines are continually rogued to prevent contaminating pollen sources.

**C. Land Requirements**

1. Certified feminized hemp seed crops shall not be grown on land in which:

- a. Produced a non-certified crop of hemp or a different variety of hemp in either of the preceding two years, or
- b. Produced a certified crop of the same variety in the preceding year.

**D. Inspections**

1. It is the grower’s responsibility to request and ensure that the growth facility and field inspections are conducted by LDAF at least twice prior to swathing or harvesting.

2. Certified plants within a growth facility or field that have been cut, swathed or harvested prior to all required inspections shall be ineligible for certification.

3. Inspections of pollen parent plants and seed parent plants shall be at a stage of growth when varietal purity is best determined. Crops not inspected at the proper stage for best determining varietal purity may be cause for rejection.

4. LDAF will perform a minimum of two inspections.

a. First inspection for pollen parent and seed parent plants will be made just before or at early flowering. The pollen parent will be inspected prior to pollen collection or dispersal.

b. Second inspection for pollen parent and seed parent types will be completed after pollen shed and seed fill.

5. LDAF will inspect for the presence of volunteer hemp plants within isolation areas.

**E. Specific Requirements.** For the production of feminized hemp seed varieties via pollen shedding by the chemically reversed female plants.

1. Detailed records shall be maintained on the pollen parent, including, but not limited to, the chemical application dates, concentration, and pollen collection date.

2. Pollen storage containers, if used, shall be labeled with a unique ID or lot number and the source of pollen.

3. Pollen parents shall be removed and destroyed after pollen collection is complete.

4. Male, sporting male, and hermaphroditic plants shall be removed from the growth facility or field by grower and a record of roguing activities maintained and made available to LDAF upon request.

**F. Isolation Requirements**

1. Certified feminized hemp seed fields shall be isolated from all other contaminating pollen sources by the minimum distances provided in Table 4 of this section.

2. Roguing to eliminate all possible contaminating pollen sources shall be completed prior to visible flower formation.

3. Greenhouse production of certified feminized hemp seed is allowed if mechanical isolation of pollen sources is provided, and the following additional greenhouse requirements are met:

a. Method of pollen exclusion must be documented and submitted to LDAF.

b. Each greenhouse facility is limited to one variety, except in the case when one pollen parent is utilized for all varieties.

c. Each variety shall be clearly labeled and easily identifiable from one another.

4. LDAF may approve a reduction in isolation distances for off-season greenhouse production when outside pollen sources are not present.

<b>Certified Crop</b>	<b>Other Hemp Crops</b>	<b>Minimum Isolation Distance Required (feet)</b>
Feminized Hemp Seed	- Varieties of hemp, or other contaminating pollen source that has pollen shedders present, including other greenhouse complexes - Non-certified crops of hemp - Different varieties of the same type of hemp with no male shedders present in field that is not for seed production. - Planted with certified seed of the same variety that meets certified standards	15,748
	- Certified seed crop of the same variety that meets certified standards for varietal purity	3

**G. Impurity Standards**

1. Impurities shall be removed prior to crop inspection.
2. Any combination of impurities may be cause for rejection of certified status.
3. Table 5 indicates the maximum number of impurities permitted in approximately 10,000 plants of the certified feminized hemp seed crop.

<b>Maximum Impurity Standards per 10,000 Plants</b>		
<b>Crop</b>	<b>Maximum Number of Plants Shedding Pollen</b>	<b>Maximum Number of Off-Types or Other Varieties</b>
Feminized Hemp Seed	0	20

**H. Seed Standards**

<b>Factor</b>	<b>Foundation</b>	<b>Certified</b>
Pure seed (minimum)	98.00%	98.00%
Inert matter (maximum) <sup>1</sup>	2.00%	2.00%
Weed seeds (maximum)	0.10%	0.10%
Total other crop seeds (maximum)	0.01%	0.08%
Other hemp varieties (maximum)	0.005%	0.05%
Other seed kinds (maximum) <sup>2</sup>	0.01%	0.07%
Germination (minimum)	80.00%	80.00%
Feminized Seed <sup>3</sup>	99.00%	99.00%

<sup>1</sup> Inert matter shall not include more than 0.5 percent of material other than seed fragments of the variety under consideration.

<sup>2</sup> Other seed kinds shall not exceed 2 per lb. (454 grams) for foundation class; 10 for certified class.

<sup>3</sup> Determined by variety verification trial or approved molecular testing

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:1433.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1574 (October 2025).

**§1207. Vegetatively Propagated Hemp Seed Certification Standards**

A. Classes and sources of certified vegetatively propagated planting stocks.

1. Mother Plant is a plant produced from a Breeder Plant Stock.

2. Certified Plants are plants produced from Mother Plants.

3. Certified plants may be used to produce certified stock when produced in a Structure or D1 Daughter stock.

4. Certified plants are propagated as follows:

a. Mother Plants may be cut repeatedly to produce D1 Daughter Plants. D1 Daughter Plants are produced by cuttings from Mother Plants.

b. D1 Daughter plants may be cut repeatedly to produce D2 Daughter Plants. D2 Daughter plants are produced by cuttings from D1 Daughter Plants.

c. D2 Daughter plants may be cut repeatedly to produce D3 Daughter plants. D3 Daughter plants are produced by cuttings from D2 Daughter plants.

5. The grower shall maintain detailed documentation of the parent used to generate clones.

6. All required grower records related to the production of hemp clones shall be made available for inspection by LDAF upon request.

B. Growth Facility Production Requirements

1. The facility shall be free of visually detectable diseases, insects, and other harmful pests.

2. Hemp clones shall be handled in such a manner as to prevent co-mingling of varieties or types.

3. Isolation

a. Varieties produced in the same facility shall have a minimum of 18” unplanted isolation area between the varieties.

b. The production area, flats and/or containers for each variety shall be clearly labeled in a manner that prevents mixing or misidentification.

c. Growers shall handle transplants throughout the growing, harvesting, and sales in a manner that prevents the mechanical mixture of containers of different varieties.

C. Field Production Requirements

1. Land Requirements

a. Crops for the production of mother plants shall not be grown on land that produced a hemp crop within the previous five years.

b. Crops for the certified class shall not be grown on land that produced a hemp crop in the previous three years.



## 2. Isolation Requirements

a. There shall be a minimum of ten feet isolation area, or an appropriate barrier between different certified varieties or between certified and any non-certified production.

b. LDAF may approve an alternate isolation distance or barrier sufficient to prohibit the mixing of plants.

c. Isolation areas shall remain free of volunteer hemp plants throughout the production cycle.

### D. General Production Standards

1. Plants shall remain apparently free of diseases, insects, and other injurious pests.

2. Maximum off-types or other varieties shall not exceed 0.2 percent, or 20 in 10,000 plants. Non-conforming plants shall be removed and destroyed by the grower.

### E. Inspections

1. LDAF will inspect mother plants within seven days before first cutting of daughter plants for certification.

2. LDAF will inspect daughter plants at least once during the course of production.

3. LDAF will perform a minimum of two inspections to determine:

a. all field and indoor growth facility produced plants and transplants are properly labeled by variety and meet phenotypic purity, isolation, and are in good physical condition.

b. the number of transplants produced at the time of the final inspection.

4. Transplants may be rejected for certification due to unsatisfactory physical condition, including but limited to, diseased plants, plants with insect infestation, or plants that are otherwise stressed.

5. LDAF may reject unlabeled or inadequately labeled transplants.

6. LDAF may conduct additional inspections as necessary to ensure all certification requirements are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1575 (October 2025).

## **§1209. Hemp Transplants Certification Standards**

### A. General Hemp Transplant Standards

1. All certified transplants shall be produced from a class of certified seed or certified planting stock.

2. Proof of seed eligibility shall be established by providing to LDAF a certified label, issued by a member agency in good standing with AOSCA, and accompanying invoice showing the variety, lot number and pounds received. In the case of clones, documentation of clone propagation issued by a member agency in good standing with AOSCA.

3. All containers must be labeled in a manner that maintains the source, identity and certification eligibility of the transplants. All containers offered for sale must be identified by the official seed certification tag/label. The tag/label must be securely affixed to trays, so the tag/label remain with the plants until the final disposition.

4. Off-types and other varieties shall not exceed 0.2 percent, or 20 in 10,000 plants. Off-types and other varieties must be removed and destroyed by grower.

### B. Inspections

1. LDAF will inspect all fields and other outdoor plant growing sites at least two times for phenotypic purity, isolation, physical condition, and appearance of plants.

2. LDAF will inspect transplants produced in a growth facility at least two times for varietal labeling, phenotypic purity, isolation, physical condition, and appearance of plants.

3. LDAF may reject transplants due to unsatisfactory appearance, such as plants that are diseased, insect infestation, or otherwise stressed or in a condition which prevents thorough inspection.

4. Unlabeled or inadequately labeled transplants shall be ineligible for certification.

5. LDAF will verify the number of transplants produced at the time of the final inspection.

6. Upon the final inspection, transplants may be collected by LDAF for post-control grow outs or other identification verification tests.

7. LDAF may conduct additional inspections as necessary to ensure all certification standards are met.

### C. Field Land Requirements

1. Hemp transplants shall not be grown on fields which:

a. Produced a non-certified crop of hemp or a different variety of hemp in either of the preceding two years.

b. Produced a certified crop of a same variety in the preceding year.

### D. Plant Bed Soil Mix Requirements

1. Growth facilities shall develop and follow Standard Operating Procedures (“SOP”) designed to prevent contamination of hemp plant material from a previous crop and maintain written documentation that the facility is free of any plant material from a previous crop. This information shall be made available to LDAF upon request.

2. The soil mixes for growth facility production of transplants shall be new, soil-less, or sanitized in a method approved by LDAF.

### E. Isolation Requirements

1. When two or more varieties are being grown in the same growth facility, there shall be an adequate unplanted area between the varieties to prohibit mixing or misidentification. The production area, flats and/or containers for each variety must be clearly labeled in a manner that prevents mixing or misidentification.

2. Different varieties being grown in fields shall be separated by an adequate, but no less than six feet, unplanted area between the varieties to prohibit mixing or misidentification.

3. Growers shall handle transplants throughout the growing, harvesting, and transplant sales in a manner that prevents mechanical mixture of containers of different varieties.

### F. Labeling Requirements

1. All certified hemp transplants offered for sale shall be labeled with official LDAF issued certification tags or labels. Each container of hemp transplants shall have an LDAF issued certified label firmly attached to be sold as certified transplants. Failure to properly label transplants at the time of sale shall be cause for rejection of certification status and may become ineligible for sale as certified transplants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 51:1576 (October 2025).

Mike Strain, DVM  
Commissioner

2510#030

## RULE

### Department of Agriculture and Forestry Office of Forestry

Forest Landowner Assistance  
(LAC 7:XXXIX.701)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:4276 and 3:3, notice was given that the Department of Agriculture and Forestry (“Department”), through the Office of Forestry, has amended LAC 7:XXXIX.701 relative to Forest Landowner Assistance. R.S. 3:3 establishes the commissioner’s authority to adopt and promulgate rules and regulations relative to agriculture and forestry. R.S. 3:4276 establishes the State Forester’s authority to direct landowner assistance to encourage reforestation and sustainable land management.

The department amended LAC 7:XXXIX.701 to increase the for-hire forestry management services. The department, Office of Forestry, under the direction of the state forester shall provide private landowners assistance with the management of their forestlands. The agency evaluated the Rule and determined it was necessary, consistent with law, and aligned with the agency’s mission. The benefits of the Rule outweigh the burdens and costs. The Rule is written in plain language, in an effort to increase transparency. This Rule is hereby adopted on the day of promulgation.

### Title 7

### AGRICULTURE AND ANIMALS Part XXXIX. Forestry

#### Chapter 7. Forest Landowner Assistance

#### §701. Management Services

A. - A.1.a.i. ...

(a). \$35/acre plus fireline establishment: \$75/hour for light tractor (dozer) work—650 John Deere (or other brand of similar power) or less;

(b). \$110/hour for heavy tractor (dozer) work—750 John Deere (or other brand of similar power);

ii. ...

(a). \$15/acre plus fireline establishment: \$75/hour for light tractor (dozer) work—650 John Deere (or other brand of similar power) or less;

(b). \$110/hour for heavy tractor (dozer) work—750 John Deere (or other brand of similar power);

iii. ...

(a). \$30/acre plus fireline establishment: \$70/hour for light tractor (dozer) work—650 John Deere (or other brand of similar power) or less;

iii.(b). - v. ...

(a). \$75/hour for light tractor (dozer) work—650 John Deere (or other brand of similar power) or less;

(b). \$110/hour for heavy tractor (dozer) work—750 John Deere (or other brand of similar power).

vi. mechanical fuel reduction:

(a). \$200/hour for JD330G Skid Steer (or other brand of similar power).

2. - 2.b....

c. \$70/hour (\$300 minimum) for light tractor (dozer) work—650 John Deere (or other brand of similar power) or less;

d. \$100/hour (\$300 minimum) for heavy tractor (dozer) work—over 650 John Deere (or other brand of similar power);

e. ...

3. Equipment Transportation for Management Services

a. Equipment haul distance within 50 miles of travel: \$50/unit, per round trip;

b. Equipment haul distance greater than 50 miles of travel: \$100/unit, per round trip.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4276, R.S. 3:4274 and R.S. 3:3.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Forestry, LR 8:419 (August 1982), amended by the Department of Agriculture and Forestry, Office of Forestry, Forestry Commission, LR 11:1178 (December 1985), LR 19:1414 (November 1993), LR 23:553 (May 1997), amended by the Department of Agriculture and Forestry, Office of Forestry, LR 32:1782 (October 2006), LR 41:2102 (October 2015), amended LR 51:1577 (October 2025).

Mike Strain, DVM  
Commissioner

2510#027

## RULE

### Board of Elementary and Secondary Education

Bulletin 741—Louisiana Handbook for School Administrators

Remote School Registration for Military Families  
(LAC 28:CXV.1119)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:CXV in *Bulletin 741—Louisiana Handbook for School Administrators*. The aforementioned revisions align policy with Act 512 of the 2024 Regular Legislative Session, which provides that children of military personnel are not precluded from remote registration. Additionally, the revisions address students with exceptionalities and Section 504 accommodations and services. This Rule is hereby adopted on the day of promulgation.

### Title 28

### EDUCATION

#### Part CXV. Bulletin 741—Louisiana Handbook for School Administrators

#### Chapter 11. Student Services

#### §1119. Remote School Registration and Enrollment of Children of Military Personnel Transferring to Louisiana

A. - A.3. ...

B. None of the following shall preclude a student from registration prior to residency and preliminary enrollment:

1. having an IEP or family service plan under IDEA;
  2. receiving or qualifying for special education courses or services;
  3. having an exceptionality as defined in R.S. 17:1942;
- or
4. receiving or qualifying for Section 504 accommodations or services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:101.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:1011 (April 2022), amended LR 51:1577 (October 2025).

Tavares A. Walker  
Executive Director

2510#026

## RULE

### Board of Elementary and Secondary Education

Civics Assessment  
(LAC 28:XI.1901, 1903, and 6821)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:XI in *Bulletin 111—The Louisiana School, District, and State Accountability System* and *Bulletin 118—Statewide Assessment Standards and Practices*. The revisions provide that the inclusion of the civics assessment score, for purposes of school and district accountability, will not apply to students who entered a freshman cohort prior to the 2024-2025 school year. This Rule is hereby adopted on the day of promulgation.

## Title 28

### EDUCATION

#### Part XI. Accountability/Testing

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

##### Chapter 19. Inclusion in Accountability

##### §1901. State Assessments and Accountability

A. - H. ...

I. A student completing the third year in a high school cohort must have taken the Algebra I, English I, biology, and civics assessments or LEAP Connect. A student not meeting this requirement will be assigned a score of zero and be counted as a non-participant in high school testing. All students must be included in the assessment cohort regardless of course enrollment, grade assignment, or program assignment.

1. Notwithstanding Subsection I of this Section, the civics assessment score for a student entering traditional grade 9 prior to the 2024-2025 school year shall not be included in the calculation of the civics assessment cohort.

J. - J.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:6.1, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:1632 (November 2024), amended LR 51:1578 (October 2025).

## §1903. Inclusion of Students

A. The test score of every student enrolled in any school in an LEA on October 1 of the academic year and who is eligible to take a test at a given school within the same LEA shall be included in the LEA district performance score (DPS).

1. Notwithstanding Subsection A of this Section, the civics assessment score for a student entering traditional grade 9 prior to the 2024-2025 school year shall not be included in the calculation of the civics assessment cohort for district or school performance scores.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:6.1, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 50:1632 (November 2024), amended LR 51:1578 (October 2025).

## Title 28

### EDUCATION

#### Part XI. Accountability/Testing

##### Subpart 3. Bulletin 118—Statewide Assessment

##### Standards and Practices

##### Chapter 68. LEAP 2025 Assessments for High School

##### Subchapter C. LEAP 2025 for High School

##### Administrative Rules

##### §6821. High School Test Cohorts

[Formerly LAC 28:CXI.1821]

A. ...

B. Students who enter traditional grade 9 in 2017-2018 through 2023-2024 are required to score level 2 (approaching basic/fair) or above on English I or English II, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

I. - I.d.ii. ...

C. Students who enter traditional grade 9 during or after 2024-2025 are required to score level 2 (approaching basic/fair) or above on English I or English II, Algebra I or geometry, and biology or civics to be eligible for a standard high school diploma.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:977 (May 2010), amended LR 38:36 (January 2012), LR 44:470 (March 2018), LR 47:859 (July 2021), LR 48:2559 (October 2022), LR 51:1578 (October 2025).

Tavares A. Walker  
Executive Director

2510#021

## RULE

### Office of the Governor Department of Veterans Affairs

Cemeteries (LAC 4:VII.992)

Under the authority of R.S. 29:252-261, 288-290, 295, 381-391, R.S. 36:781-787, R.S. 42:17.2, and R.S. 46:121-123, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the secretary has amended Department of Veterans Affairs regulation, LAC 4:VII.992.

The revisions are necessary to provide greater clarity to the rules previously promulgated in 2024, the last time that the Department of Veterans Affairs promulgated new rules. The rules improve readability and clarity of intent and add two new additional documents that may be accepted as proof of Louisiana residency for the purposes of burial eligibility. This Rule is hereby adopted on the day of promulgation.

**Title 4**

**ADMINISTRATION**

**Part VII. Governor's Office**

**Chapter 9. Veterans' Affairs**

**Subchapter E. Veterans' Cemeteries**

**§992. Burial Eligibility for Members of the Louisiana National Guard, Reserve Components of the Armed Forces, and Their Dependents**

A. Pursuant to Louisiana R.S. 29:295(E) and 38 U.S.C. 2408, the following deceased members of the Louisiana National Guard or of a drilling reserve component of the Armed Forces, and their dependents, are eligible for burial in veterans cemeteries operated by the Department of Veterans Affairs.

1. Any member of the Louisiana National Guard or of a drilling reserve component of the Armed Forces who, having drilled for six years or been activated pursuant to Title 32 of the United States Code with total drilling time with that activation six years or more, was a Louisiana resident at the time of death or at time of service and who was discharged or released from federal and state service with an honorable discharge, as shown by a discharge certificate or NGB 22, and had never been imprisoned pursuant to an order of confinement for one year or more subsequent to a felony conviction.

2. Any member of the Louisiana National Guard or of a drilling reserve component of the Armed Forces who, having drilled or been activated pursuant to Title 32 of the United States Code, was a Louisiana resident at the time of death or time of service and whose death occurs under honorable conditions while a member of the Louisiana National Guard or the reserve component, and had never been imprisoned pursuant to an order of confinement for one year or more subsequent to a felony conviction.

3. Any spouse, minor child, or unmarried adult child of any member described above.

a. Minor child means an unmarried child under 18 years of age.

b. Unmarried adult child means a child who became permanently physically or mentally disabled and incapable of self-support before reaching 21 years of age, or before reaching 23 years of age if pursuing a full-time course of instruction at an approved educational institution.

B. The person applying for burial of an eligible member of the Louisiana National Guard, reserve component of the Armed Forces, or their dependent is responsible for providing documents with the application that verify eligibility.

C. For members of the Louisiana National Guard or of a drilling reserve component of the Armed Forces eligible for burial pursuant to Subsection A.1 and 2 of this Section, the cost of burial shall be the amount of a burial plot allowance at the time of death established by the United States Department of Veterans Affairs, according to 38 U.S.C. 2303(b)(1) and (c), for veterans who are eligible for burial in a national cemetery. If funds have not been appropriated by the

legislature or the United States Department of Veterans Affairs for the cost of burial, the applicant shall pay the cost of burial prior to interment.

D. For spouses, minor children, and unmarried adult children eligible for burial pursuant to Subsection A.3 of this Section, the cost of burial including the marker shall be the amount set by R.S. 29:295(C), and shall be paid by the applicant prior to interment unless funds have not been appropriated by the legislature or the United States Department of Veterans Affairs.

a. Spouses and children shall not be buried at the cemetery if the veteran is deceased and not buried at the cemetery, unless both are deceased and to be interred at the same time, or scheduled disinterment or re-interment to be moved to the cemetery.

E. If a headstone or marker must be reordered due to incorrect information provided by the applicant, the applicant shall pay the cost of a replacement headstone or marker.

F. To establish that the residency requirement has been met, the applicant must present a document that includes the veteran's name and a Louisiana residence address either during military service or at time of death: Cemetery will determine if the document is acceptable. Some examples are:

1. unexpired Louisiana driver's license or Louisiana special identification card;
2. Louisiana voter registration card;
3. Louisiana vehicle registration;
4. Homestead Tax Exemption Form;
5. Louisiana full time resident income tax return (signed and marked as received by the Louisiana Department of Revenue).
6. NGB 22 showing Louisiana address as home of record.
7. Reserve discharge or contract document showing Louisiana address as home of record.

G. This Section does not apply to veterans who qualify for burial in national veterans cemeteries as provided in 38 U.S.C. 2402 and 38 C.F.R. 1.620 and therefore qualify for burial in a veterans cemetery pursuant to R.S. 29:295.

AUTHORITY NOTE: Promulgated in accordance with R.S. 29:295(E).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Department of Veterans Affairs, LR 50:502 (April 2024), amended LR 51:1579 (October 2025).

Charlton Meginley  
Secretary

2510#034

**RULE**

**Department of Health  
Board of Examiners of Psychologists**

Licensed Psychological Associate  
(LAC 46:LXIII.Chapters 61-85)

Notice is hereby given that the Board of Examiners of Psychologists has adopted Subpart 3, Chapters 61 thru 85 to facilitate the licensure and regulation of a licensed psychological associate in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. and pursuant to Act No. 286 of the 2024 Regular Legislative

Session, the Louisiana Licensing Law for Psychologist 37:2352(4), 37:2353(C)(1), 37:2354(B)(5), 37:2354(G)(1) and (2), 37:2356.1, 37:2356.4, 37:2357(C), 37:2359, 37:2365(C), 29:769(E), 37:3651, and Section 1. Chapter 1-E of Title 37 of the Revised Statutes of 1950, comprised of sections 51 through 59. This Rule is hereby adopted on the day of promulgation.

#### **Title 46**

### **PROFESSIONAL AND OCCUPATIONAL STANDARDS**

#### **Part LXIII. Psychologists**

#### **Subpart 3. Licensed Psychological Associate**

#### **Chapter 61. General**

#### **§6101. Jurisdiction**

A. The Louisiana State Board of Examiners of Psychologists (board), in accordance with R.S. 37:2351 et seq., has jurisdiction over licensed psychological associates.

B. Upon submission of an application for licensure or registration as a licensed psychological associate, an applicant voluntarily subjects himself to the jurisdiction of the board.

C. Except as otherwise provided by applicable law, per R.S. 37:2360 it is unlawful for any person not licensed in accordance with the provisions of Title 37, Chapter 28 entitled Psychologists or Chapter 15, Part VI, entitled Medical Psychologists, of the Louisiana Revised Statutes to represent himself as a psychologist or to engage in the practice of psychology. Upon approval of a Supervised Practice Plan by the board, a candidate may lawfully engage in the practice of psychology during the course and scope of supervised practice as defined in this Subpart.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1580 (October 2025).

#### **§6103. Scope**

A. The scope of practice of a licensed psychological associate is set forth in R.S. 37:2356.4.

B. A license psychological associate shall engage in the practice of psychology only with those populations and within the boundaries of their competence. A licensed psychological associate's competence is based on their education, training, supervised experience, consultation, study, or professional experience.

C. Nothing in this Subpart shall be interpreted as expanding the scope of practice set forth in R.S. 37:2356.4.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1580 (October 2025).

#### **Chapter 63. Definitions**

#### **§6301. General Definitions**

A. The application of the following definitions are limited to Title 46; Part LXIII. Psychologists; Subpart 3. Licensed Psychological Associates.

##### **B. Definitions**

*Applicant*—a person who submits to the board the required application fee and the complete prescribed application which includes evidence that the person satisfies the requirements for licensed psychological associate license set forth §6501 of this Subpart.

*ASPPB*—the Association of State and Provincial Psychology Boards.

*Consultant*—a licensed psychologist or medical psychologist, licensed in accordance with R.S. 37:1360.51 et seq., who provides advice and expertise on a case-by-case basis, lacks functional authority, and is neither legally nor professionally liable for psychological services rendered.

*Continuing Professional Supervision*—supervision as defined in Chapter 73 of this Subpart.

*Degree*—a master's, specialist, or doctoral degree from a program as defined herein.

*Emergency Temporary Registration (ETC)*—an expedited registration permitting the registrant to temporarily practice psychology in Louisiana granted only during a declared public health emergency.

*Foreign Graduate*—a person who has a conferred degree from a college, university, or professional school outside of the United States or Canada, which program meets the accreditation or equivalency requirements of this Subpart.

*Full-Time*—is engaging in the practice of psychology or supervised practice 35 or more hours per week.

*General Professional Supervision*—a type of supervision as defined in Chapter 73 of this Subpart.

*Graduate*—a person who has a conferred degree from a program meeting the requirements of this Subpart.

*Health Service Psychology*—the provision of direct health care/behavioral health care services in psychology, which provision of services includes, but is not limited to, assessment, screening, psychotherapy, counseling, diagnosis, treatment, prevention, remediation, consultation, and supervision.

*Licensed Psychological Associate (LPA)*—a person who has been granted a license pursuant to this Subpart.

*Part-Time*—is engaging in the practice of psychology 20 to 30 hours per week or 80 to 120 hours per month.

*Professional Examination*—the examination for the Professional Practice of Psychology (EPPP) as constructed by the ASPPB.

*Program*—a structured and organized set of academic activities /requirements that lead to the award of a Degree in health service psychology, and which program meets the requirements set forth in Chapter 67 of this Subpart.

*Qualified Supervisor or Supervisor*—is a person who is licensed in accordance with R.S. 37:2356, or a medical psychologist, licensed in accordance with R.S. 37:1360.51 et seq., and authorized pursuant to Chapter 73 of this Subpart to provide supervised training in Louisiana to a candidate for licensure as a licensed psychological associate, subject to the jurisdiction of the board.

*Regionally Accredited University*—a degree-granting institution of higher learning accredited by a Regional Accrediting Organization recognized by the Council for Higher Education (CHEA).

*Registrant*—an applicant granted an Emergency Temporary Registration as set forth in this Subpart.

*Substitute Supervisor*—a qualified supervisor who has been designated by the supervisor of record to provide supervision to a candidate for a specific and limited duration, and who is authorized to intervene with a client.

*Supervised Practice Plan*—a form prescribed by the board, documenting, in part, a bona fide relationship with a qualified supervisor and outlining the applicant's plan to

complete supervised practice requirements for licensure; the Supervised Practice Plan identifies the supervisor of record and requires board approval prior to implementation.

*Supervisee*—candidate for licensure who may practice psychology only pursuant to a Supervised Practice Plan approved by the board and under the supervision of a qualified supervisor meeting the requirements set forth in this Subpart.

*Supervisor of Record*—the qualified supervisor listed on the Supervised Practice Plan approved by the board.

*Withdrawal*—the removal of an Application from board consideration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1580 (October 2025).

## Chapter 65. Licensure

### §6501. Licensure Requirements; Application; Applicant

A. All persons applying under the provisions of this Subsection shall:

1. submit to the board the required application fee and the complete prescribed application which includes evidence that the person:

- a. is at least 21 years of age;
- b. is of good moral character;
- c. is a citizen of the United State or has declared his

intention to become a citizen. A statement by the person under oath that the person is a citizen or that the person intends to apply for citizenship when the person becomes eligible to make such application shall be sufficient proof of compliance with the requirement of this Paragraph;

d. holds a master's degree in psychology from a regionally accredited institution offering a program meeting the requirements set forth in this Subpart;

e. is not be in violation of any of the provisions of this Chapter or the rules and regulations adopted by the board; is not the subject of any pending complaints; is not the subject of a current investigation; does not possess current or prior disciplinary action by a professional board, certifying agency, or school; and has not been found guilty of or settled a claim for malpractice or negligence when the subject matter of such is related in any way to mental health practice;

2. demonstrate professional knowledge of the laws and rules regarding the practice of psychology in Louisiana by passing the Louisiana Jurisprudence Examination; and

3. submit criminal history record information as authorized by R.S. 37:2356.1 and in accordance with Chapter 12 of this Part, including submitting such number of full sets of fingerprints or other identifiable information, and payment of any fees and costs as may be incurred by the board in requesting or obtaining criminal history record information. The results of the criminal history record information search must be obtained, reviewed and considered acceptable by the board prior to approving the applicant's status as a candidate.

B. The board shall issue a license as a licensed psychological associate to each applicant who satisfies the requirements set forth in Paragraph A of this Section and completes the requirements under one of the following provisions:

#### 1. New Applicant.

a. A new applicant shall satisfy all requirements set forth in R.S. 37:2356.4, as further defined in this Subpart, including requirements for professional examination in accordance with Chapter 69, and supervised training experience in accordance with Chapter 73.

b. a new applicant who has previously taken and passed the Professional Examination more than six years prior to application submission:

i. shall be required to complete 40 hours or credits of continuing education as set forth in Chapter 8 of this Part, including two hours of credits within the area of ethics or law and two hours or credits within the area of multiculturalism or diversity. This requirement must be completed within two-years immediately preceding application submission; and

ii. based on the evidence submitted as required under this Subpart, the board may require additional training, remediation, or supervision to ensure competence and to satisfy the requirements for licensure.

#### 2. Reciprocity Applicant.

a. A reciprocity applicant shall provide proof of current licensure, in good standing, held for a minimum of 5 years, as a licensed psychological associate, or its equivalent as determined by the board, granted by another member jurisdiction of ASPPB if that jurisdiction has entered into a similar agreement with this board providing for the licensure of Louisiana psychologists in that jurisdiction by reciprocity.

b. For licensure by reciprocity, the requirements for licensure by another member jurisdiction of ASPPB shall be the substantial equivalent of those required in R.S. 37:2356.4, as further defined in this section.

#### 3. Endorsement Applicant.

a. Endorsement pursuant to the Welcome Home Act.

i. An endorsement applicant who is relocating to and will be residing in Louisiana, shall provide proof that the applicant meets the requirements set forth in R.S. 37:51 et seq., the Welcome Home Act, which requirements include, but are not limited to, current licensure or certification for a minimum of one year, in good standing, as a licensed psychological associate, or its equivalent as determined by the board, by another member jurisdiction of ASPPB that required the applicant to pass an examination, or to meet education, training, or experience standards.

#### 4. Military Applicant.

a. The board shall issue a temporary registration to a member of the military, including the United States Department of Defense civilian employees who have been assigned to duty in Louisiana, or an applicant who is married to or is a dependent of a member of the military or a United States Department of Defense Civilian employee, pending full licensure, pursuant to R.S. 37:3651.

b. Temporary Registrations shall be issued in accordance with Chapter 10 of this Part, applicable to psychologists. For purposes of this Chapter, the rules within Chapter 10 applicable to licensed psychological associates and their scope of practice shall be interpreted by replacing the term *psychologist* with the term *licensed psychological associate* and the term *doctoral* with the term *masters*.

c. The board shall prioritize consideration of Military Applications.

5. Foreign Applicant.

a. foreign applicants shall provide the board with documents and evidence in the form and manner prescribed by the board to establish that their formal education and training is equivalent to the education and training as specified in this Subpart. At minimum, a foreign applicant shall provide the following:

i. an original diploma or other certificate of graduation, which will be returned, and a photostatic copy of such a document, which shall be retained;

ii. a transcript or comparable document of all course work completed;

iii. a certified translation of all documents submitted in a language other than English;

iv. satisfactory evidence of supervised experience;

v. a statement prepared by the foreign applicant in English based on the documents referred to in this Section, indicating the chronological sequence of studies and research. The form of this statement shall be as comparable as possible to a transcript issued by American Universities.

b. The board may seek reimbursement from a foreign applicant to recover expenses incurred in reviewing unusual credentials.

C. The board may, at its discretion, require a meeting with any applicant to review and verify his satisfactory character, current fitness, plans to practice, and specialty declaration prior to the issuance or denial of a license pursuant to this Chapter or any of the laws, rules or regulations governing the practice of a licensed psychological associate.

D. Applicant status shall not be used for professional representation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4, 37:3651, 37:51

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1581 (October 2025).

**§6503. Candidate for Licensed Psychological Associate**

A. The status of candidate is granted to an applicant:

1. whose licensed psychological associate application has been recognized by the board as meeting the requirements of §6501.A. and

2. whose Supervised Practice Plan has been approved by the board.

B. Applicants granted candidate status shall be admitted and may take the required professional examination prior to completion of supervised practice.

C. A candidate for licensed psychological associate:

1. shall engage in the practice of psychology only under continuing professional supervision in accordance with the requirements of this Subpart;

2. may utilize the title of “Provisional Psychological Associate” when representing themselves, their work, or their services, provided they are operating under a Supervised Practice Plan preapproved by the board. The permitted use of this title does not imply or confer licensure, nor does it constitute qualification for independent practice, either at the time these rules were promulgated or at any point in the future;

3. shall disclose their supervisory relationship to patients, clients, and third-parties with whom they interact in a professional capacity;

4. shall not supervise other mental health providers;

D. The qualified supervisor may bill for psychological services performed by the provisional psychological associate.

E. The board shall issue a license as a licensed psychological associate to each candidate who satisfies the requirements of §6501.A. and

1. satisfactorily completes supervised practice as set forth in this Subpart; and

2. pass the professional examination as set forth in this Subpart.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1582 (October 2025).

**§6505. Withdrawal and Denial of Application**

A. Withdrawal:

1. An application shall be withdrawn and removed from board consideration as follows.

a. An applicant may submit a written request to the board to withdraw their application at will.

b. The board, following written notice to the applicant, may administratively close an application that is abandoned without action or progress for five years.

2. Withdrawn applications shall be retained in accordance with the board’s Records Retention Schedule approved by the Louisiana Secretary of State.

3. An applicant’s withdrawn application(s) may be retained for consideration in conjunction with future application(s) submitted by that applicant.

B. Denial:

1. If the board determines that an applicant does not meet the qualifications for licensure, the application shall be denied.

2. Denial Proceedings:

a. The board shall notify the applicant of its intent to deny giving the applicant 30 days to remedy all deficiencies or provide reasons and evidence why the application should not be denied.

b. An applicant shall not be entitled to a pre-denial hearing.

3. An applicant who is denied licensure based on the evidence submitted as required under this Subpart may reapply after having completed any noted deficiencies in the application, or additional training and remediation prescribed by the board to satisfy the requirements for licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4, and 37:2359

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1582 (October 2025).

**Chapter 67. Training and Credentials**

**§6701. Program Requirements**

A. To satisfy the requirements for licensure, an applicant shall hold a degree in health service psychology awarded from a program, which program at the time of graduation, is either accredited by the American Psychological Association (APA) or is an equivalent program as defined in §6703 of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1582 (October 2025).

### **§6703. Non-Accredited Health Service Programs**

A. A non-accredited health service program shall meet all of the following:

1. Offer training in health service psychology at the master's level at a regionally accredited institution of higher education.

2. The program, wherever it may be administratively housed, must be clearly identified and labeled as such. The program must specify in pertinent institutional catalogs and brochures its intent to educate and train in an applied health service area of psychology recognized by the board.

3. The program must stand as a recognizable, coherent organizational entity within the institution.

4. There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines.

5. The program must be an integrated, organized sequence of study.

6. There must be an identifiable psychology faculty with at least one core faculty member holding professional licensure to practice in the jurisdiction in which the program is located.

7. The program must have an identifiable body of students who are matriculated in that program for a degree.

8. The program must include supervised practicum, internship or field training appropriate to the practice of psychology.

9. The program shall be an internal degree program (as opposed to external program) unless it is either designated by ASPPB or it is accredited by the American Psychological Association.

10. The program shall involve at least one continuous academic year of full-time residency on the campus of the institution at which the degree is granted. A one-year residency requires completion of either 20 semester hours or 30 quarter hours.

11. The curriculum shall encompass a minimum of two academic years of full-time graduate study.

12. The specific requirements for each competency are articulated in APA Commission on Accreditation Implementing Regulations. Because science is at the core of health service psychology, programs must demonstrate that they rely on the current evidence-base when training students in the following competency areas. At a minimum, students must demonstrate competence in the following:

a. Research. For example, individuals demonstrate knowledge, skills, and competence sufficient to produce new knowledge; to critically evaluate and use existing knowledge to solve problems; substantial knowledge of scientific methods, procedures, and practices; and ability to disseminate research.

b. Ethical and legal standards.

c. Individual and cultural diversity.

d. Professional values, attitudes, and behaviors.

e. Communication and interpersonal skills.

f. Intervention.

g. Supervision.

h. Consultation

and

interprofessional/interdisciplinary skills.

B. Exemption. An applicant graduating prior to July 31, 2027, may provide documentation of the following in lieu of internship requirements:

1. completion of at least one semester or two quarter hours of clinical, counseling, or school psychology practicum; and

2. include a minimum of three graduate semester hours or six graduate quarter hours directly related to psychological theory in five of the seven following content areas.

a. biological aspects of behavior: physiological psychology, neuropsychology, sensation and perception, biological bases of development;

b. cognitive and social aspects of behavior: cognitive development, social psychology, group processes, community psychology, learning, organizational psychology;

c. human development and/or individual differences: developmental psychology, lifespan development, and developmental psychopathology, personality theory;

d. professional and scientific ethics and standards: professional and ethical problems psychology, legal, ethical, and professional issues in psychotherapy;

e. research design, methodology, statistics, and data analysis: research methods or research design in psychology; statistical analysis in psychology;

f. cultural competence, as deemed satisfactory to the board, multicultural counseling, counseling the culturally different, treating persons with disabilities; or

g. methods of assessment and diagnosis: abnormal psychology, psychological assessment, clinical diagnosis, and intellectual and personality assessment.

3. A single course or class shall be applied to one content area only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1583 (October 2025).

## **Chapter 69. Assessments and Examination**

### **§6901. Professional Examination**

A. Pursuant to R.S. 37:2356.4.A.(1)(e), the professional examination of the board shall be the examination for the Professional Practice of Psychology (EPPP) as constructed by the American Association of State Psychology Boards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1583 (October 2025).

### **§6903. Criterion for passing the Examination**

A. To satisfy the professional examination requirement for licensure, a candidate shall meet the following requirements:

1. Passing Score. The board establishes the criterion for a passing score on the Professional Examination for the Professional Practice of Psychology (EPPP) be a scaled score of 450 on the computer administered version;

2. A candidate shall have a maximum of six years to pass the professional examination;

3. A candidate for licensure may retake the written examination as frequently as it is offered.



B. A candidate who fails to satisfy the criterion for passing the examination within six years shall be removed from candidacy for licensure, their Application shall be withdrawn, and they shall not be issued a license to practice as a licensed psychological associate in Louisiana.

C. A candidate denied licensure under the preceding provisions, may reapply to the board after notification of such denial.

D. The above requirements of a Professional Examination shall not prohibit a modified administration of the Professional Examination to a candidate with a qualified disability as defined in the Americans with Disabilities Act and its Amending Act of 2008 (collectively ADA) and in accordance with the ADA Compliance Policy and Procedure adopted by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1584 (October 2025).

**Chapter 71. Fees**

**§7101. Fees**

A. In additional to the Administrative Fees set forth in Chapter 6 of Subpart 1 within Part LXIII, the following fees shall be applicable:

Licensed Psychological Associate Fees	
Application for Licensure	\$200
Jurisprudence Examination	\$75
License Renewal	\$200
Reinstatement of Lapsed License	\$300
Application for Qualified Supervisor Designation	\$50
Renewal of Qualified Supervisor Designation	\$40
Application to Provide Telesupervision	\$25 for first, \$10 for each thereafter
Initial Application and Renewal of Emerit Status	\$100
Processing Fee for Paper Renewals	\$50
License Renewal Extension Request	\$25
Request for Change Approvals to Practice Plan	\$25

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1584 (October 2025).

**Chapter 73. Supervised Practice**

**§7301. Preface**

A. This Chapter details reasonable minimal standards for supervised practice and establishes that the legal, administrative and professional responsibility of supervision rests with the qualified supervisor.

B. The supervisory function serves a multiplicity of purposes. Supervision provides guidance in administrative issues in the practice setting, continues and expands education in skills, offers emotional support, and provides evaluation for purposes of the supervisee's growth, as well as administrative judgment relative to the supervisee's capacity for autonomous professional function. The supervisor assigns work, sets realistic standards for achievement and offers evaluation of the supervisee's performance. The supervisor offers a perspective on the relationship between the supervisee's

assignment, the rest of the setting and the facilities available outside of the setting in order that the supervisee's professional procedures are intelligently placed within the context of all of the systems affecting and influencing the client. In addition to all of this, the supervisor must deal with those personal characteristics of the supervisee which either enhance or interfere with work efficiency. The private actions and behaviors of the supervisee which are not relevant to nor expressed in the work setting shall not be dealt with in the supervisory relationship. The supervisor shall limit supervision to those areas in which the supervisor has professional expertise, as well as develop the specialized skills necessary to render competent supervision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2352, 37:2356.4, 37:2359, 37:2365

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1584 (October 2025).

**§7303. Types of Supervision**

A. Continuing Professional Supervision. Continuing professional supervision is the ongoing training and oversight for the procedure furnished under the supervisor's overall direction and control, including maintenance of the necessary equipment and supplies. Supervision in this context does not require the supervisor's presence during the performance of the procedure. However, the supervisor shall be available to the supervisee during the time when the supervisee is rendering professional services, or arrange the availability of a qualified substitute supervisor who is authorized to intervene with a client. Exceptions to this provision must have prior approval by the Board of Directors.

B. General Professional Supervision. General professional supervision is direct supervisory contact between the supervisor and supervisee. Supervision in this context includes activities such as individual supervision, group supervision, specific case discussion and management, skill training, and professional development and review of the work completed by the supervisee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2352, 37:2356.4, 37:2359, 37:2365

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1584 (October 2025).

**§7305. Supervised Practice Leading Toward Licensure; Duration and Setting**

A. 3,500 hours of combined and documented post-degree continuing professional supervision and general professional supervision over a minimum two-year time period shall be required for licensure.

1. Supervised Practice hours shall begin accruing after the date on which all requirements for the degree are met, with no outstanding points of evaluation, and verified by the degree-granting institution;

2. General Professional Supervision Hours. Supervised practice hours shall include general professional supervision hours as follows:

- a. full-time supervisees shall receive no less than one hour of general professional supervision per week;
- b. part-time supervisees shall receive no less than two hours of general professional supervision per month;
- c. no more than 50 hours of general professional supervision may be obtained in a group setting; and

d. specific case discussion and skill training require additional supervisory contact. Supervision is to be conducted on a one-to-one basis and shall not be substituted for by group seminars or consultation. It is likely that more than one hour per week would be required.

3. To be credited, each assignment in a setting or integrated program shall be of at least 500 hours in duration and at least half-time for that setting or integrated program.

B. Supervised practice shall be completed within five calendar years.

1. Upon approval by the Board of Directors of a written request, the period for completion of supervised practice specified in Subsection A, may be extended for the following:

a. Candidates on extended active military service for a period in excess of three months per year; or

b. Candidates who are unable to fulfill the requirement because of illness, natural disaster, or other personal hardship.

C. Exception. Candidates graduating July 31, 2027, may receive credit for supervised practice upon satisfaction of the following:

1. At the time of Application, the candidate is employed in a position where the focus of work performed is within the scope of practice of a licensed psychological associate;

2. The candidate has been employed in a position where the focus of work performed is within the scope of practice of a licensed psychological associate continuously for more than three years full time or more than five years part-time;

3. Submission of a complete application within one calendar year of the effective date of this Subpart; and

4. Based on the evidence submitted as required under this Subpart, the Board of Directors may require additional training, remediation, or supervision to ensure competence and to satisfy the requirements for licensure. Supervised practice verification shall occur via submission of a form and process as delineated by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2352, 37:2356.4, 37:2359, 37:2365

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1584 (October 2025).

### §7307. Qualifications of Supervisors

A. A psychologist or medical psychologist must be recognized and designated by the board as a qualified supervisor prior to providing supervision in Louisiana.

B. Supervisors providing supervision in jurisdictions outside of Louisiana must be licensed by the regulatory body that is vested with jurisdictional authority over the practice of psychology in the respective jurisdiction.

C. Supervisors shall have training in the specific area of practice to render competently any psychological service undertaken by their supervisee in which they are offering supervision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2352, 37:2356.4, 37:2359, 37:2365

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1585 (October 2025).

### §7309. Qualified Supervisor Designation

A. The designation of qualified supervisor shall be recognized for:

1. a psychologist who is licensed in good standing with the board;

2. a psychologist who is licensed in good standing with the board, and also licensed in good standing as a medical psychologist in accordance with R.S. 37:1360.51; or

3. a medical psychologist who is licensed only in accordance with R.S. 37:1360.51 and in good standing, who applies for the designation of qualified supervisor and satisfies the following requirements:

a. submits to the board the required fee and complete prescribed application form for the designation of qualified supervisor;

b. is not in violation of any of the provisions of this Chapter, the rules and regulations adopted by the board, or the laws governing the practice of psychology;

c. is not the subject of any pending complaints or current investigations by any board or association regulating the provision of mental health services;

d. does not possess current or prior disciplinary action by a professional board, certifying agency, or school; and

e. has not been found guilty of or settled a claim for malpractice or negligence when the subject matter of such is related in any way to mental health practice.

B. Upon submission of an Application for designation as a qualified supervisor, the medical psychologist voluntarily subjects himself to jurisdiction of the board and shall comply with all laws and rules governing the supervision of licensed psychological associates set forth in this Subpart and the ethical standards for licensed psychologists set forth in Chapter 13 of this Part.

C. The board may investigate any complaint against a qualified supervisor.

D. Should a medical psychologist with a designation of qualified supervisor fail to comply with any requirement or condition established by this Rule, the board may immediately terminate his designation as a qualified supervisor. In addition, the board shall notify any jurisdiction in which the medical psychologist holds a license of a complaint or termination by this board.

E. In the event that the medical psychologist fails to obtain a designation of qualified supervisor prior to supervision of a candidate, the conduct may be considered the unlawful practice of psychology and prosecuted accordingly.

F. An applicant for the designation of qualified supervisor shall not be entitled to a pre-denial hearing.

G. A qualified supervisor shall not be entitled to a pre-termination hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2352, 37:2356.4, 37:2359, 37:2365

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1585 (October 2025).

### §7311. Restrictions on Supervision

A. In an effort to maintain a level of supervision and practice consistent with professional standards ensuring the welfare of the supervisee and the client, the supervisor shall limit the number of supervisees as follows:

1. provide no more than 200 hours of continuous professional supervision per month;

2. be the supervisor of record for no more than five assistants to a psychologist (ATAPs); and

3. be the supervisor of record for no more than two candidates for psychologist license.

B. Exemption. The restriction on the number of supervisees and hours of supervision shall not include academic supervision.

C. Notwithstanding, the supervisor shall limit the number of supervision hours and persons supervised so as to be certain to maintain a level of supervision and practice consistent with professional standards ensuring the welfare of the supervisee and the client.

D. The supervisor shall not have a dual relationship with the supervisee, including but not limited to a familial relationship.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2352, 37:2356.4, 37:2359, 37:2365

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1585 (October 2025).

### §7313. Conduct of Supervision

A. Responsibility for the overall supervision of the supervisee's professional growth resides in the supervisor.

B. The board recognizes that the variability in preparation for practice of the supervisee will require individually tailored supervision. The specific content of the supervision procedures will be worked out between the supervisor of record and the supervisee.

C. The supervisor must have legal functioning authority over and professional responsibility for the work of the supervisee. This means that the supervisor must be available to the supervisee at the point of the decision-making. The supervisor's relationship with the supervisee shall be clearly differentiated from that of consultant, who may be called in at the discretion of the consultee and who has no functional authority for, nor none of the legal or professional accountability for the services performed or for the welfare of the client.

D. The supervisor is responsible for the delivery of services, the representation to the public of services, and the supervisor/supervisee relationship.

1. All clients will be informed of the availability or possible necessity of meetings with the supervisor at the request of the client, the supervisee, or the supervisor. The supervisor will be available for emergency consultation and intervention.

2. All written communication will clearly identify the supervisor as responsible for all psychological services provided. Public announcement of services and fees, and contact with the public or professional community shall be offered only by or in the name of the supervisor. It is the responsibility of both the supervisor and the supervisee to inform the client, to whatever extent is necessary for the client to understand, of the supervisory status and other specific information as to supervisee's qualifications and functions

3. Billing and receipt of payment is the responsibility of the employing agency or the supervisor. The setting and the psychological work performed shall be clearly identified as

that of the licensed psychologist or licensed psychological associate. The physical location where services are delivered may not be owned, leased, or rented by the supervisee.

4. The supervisor must be paid either directly by the client or by the agency employing the supervisee. The supervisee may not pay the supervisor for supervisory services, nor may the supervisee or his immediate family have any financial interest in the employing agency.

5. The supervisor is responsible for the maintenance of information and files relevant to the client. The client shall be fully informed, to whatever extent is necessary for that client to understand, that the supervisor or the employing agency is to be the source of access to this information in the future.

E. In the event the supervisee publicly represents himself inappropriately, or supervision is not conducted as set forth in this Subpart, the Board of Directors may determine that any experience gained in that situation is not commensurate with ethical standards and thus not admissible as experience toward licensure. The Board of Directors may further find that any supervisor providing supervision under those circumstances is in violation of ethical standards which results in action by the board as authorized in this Part.

F. Termination of supervision of a candidate must be reported to the board by both the supervisor and supervisee, in writing within seven calendar days from when either party knew or should have known supervision was terminated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2352, 37:2356.4, 37:2359, 37:2365

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1586 (October 2025).

### §7315. Evaluation and Accreditation of Supervised Practice Leading Toward Licensure

A. The board shall require submission of information by the supervisor(s) in the form and manner prescribed by the board which will enable it to evaluate and credit the extent and quality of the candidate's supervised practice.

B. Assessment of Supervisee's Performance. The board may also require the supervisee to submit reports.

C. Supervised practice time during which the supervisor deems the supervisee's performance to have been unacceptable shall not be credited toward the required supervised practice hours.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2352, 37:2356.4, 37:2359, 37:2365

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1586 (October 2025).

## Chapter 75. Continuing Education

### §7501. Continuing Education Requirements

A. Unless specifically set forth in this Chapter, licensed psychological associates shall be governed by and comply with the continuing education and reporting requirements applicable to psychologists as set forth in Chapter 8 of this Part. For purposes of this Chapter, the rules within Chapter 8 applicable to licensed psychological associates and their scope of practice shall be interpreted by replacing the term *psychologist* with the term *licensed psychological associate*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351, 37:2353, 37:2354, 37:2356.4, and 37:2357

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1586 (October 2025).

## **Chapter 77. Licensees**

### **§7701. Licensee Requirements**

A. Unless specifically set forth in this Chapter, licensed psychological associates shall be governed by and comply with all licensee provisions applicable to and governing psychologists set forth in Chapter 9 of this Part. Such provisions include, but are not limited to, license renewal, reinstatement, lapsed license, contact information, and Emerit: Retired, shall be interpreted by replacing the term *psychologist* with the term *licensed psychological associate*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2353, 37:2354, 37:2356.4, and 37:2357

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1587 (October 2025).

## **Chapter 79. Temporary Registration**

### **§7901. Emergency Temporary Registration of Licensed Psychological Associates**

A. Pursuant to R.S. 29:769(E), licensed psychological associates from other jurisdictions of the United States may respond to a declared public health emergency and be granted a temporary registration to engage in the practice of psychology as set forth in R.S. 37:2356.4 and further defined in this Subpart.

B. Prior to providing professional services in Louisiana pursuant to this section, a licensed psychological associate, or its substantial equivalent as determined by the board, who is licensed in another jurisdiction of the United States, shall apply and be approved for an Emergency Temporary Registration (ETR).

C. To apply for an emergency temporary registration, the applicant shall submit a complete application for ETR to the board in the form and manner prescribed the following documentation that the applicant:

1. is domiciled outside of Louisiana;
2. holds a current unrestricted license to practice as a licensed psychological associate or its equivalent as determined by the board in the jurisdiction of his/her domicile in the United States;
3. any other information pertaining to identification or fitness to practice as requested by the board.

D. A person granted an emergency temporary registration, or *registrant*, authorized under this provision may provide psychological services as set forth in R.S. 37:2356.4 provided the registrant:

1. is engaged in a legitimate relief effort during the emergency period;
2. provides satisfactory documentation to the board of the location site(s) that the registrant will be providing services;
3. complies with the Louisiana licensing law for psychologists, R.S. Title 37, Chapter 28; the *Louisiana Administrative Code*, Title 46, Part LXIII; and, other applicable laws, as well as practice in good faith, and within the reasonable scope of his skills, training, and ability; and
4. renders services on a gratuitous basis with no revenue of any kind to be derived whatsoever from the provision of services with the state of Louisiana.

E. During a declared emergency, applications for emergency temporary registration shall be processed as priority. Furthermore, additional requirements for an ETR may be imposed pursuant to the emergency declaration issued which more properly address the needs of the particular declared emergency.

F. The authority provided for the Emergency Rule shall be applicable for a period of time not to exceed 60 days at the discretion of the board, with the potential extension of up to two additional periods not to exceed 60 days for each extension as determined appropriate and necessary by the board.

G. An Emergency Temporary Registration is not the property right of the licensed psychological associate.

H. Should a registrant fail to comply with any requirement or condition established by this Rule, the board may immediately terminate his registration. In addition, any known jurisdiction in which the registrant holds a license shall be notified of the termination of registration and any reasons therefore.

I. In the event a psychologist fails to register with the board, but practices psychology, whether gratuitously or otherwise, then such conduct will be considered the unlawful practice of psychology and the board may take action as authorized in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4, 29:769(E).

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1587 (October 2025).

## **Chapter 81. Ethical Standards for Licensed Psychological Associates**

### **§8101. Ethical Standards**

A. Unless specifically set forth in this Chapter, the ethical standards for licensed psychological associates shall be the same as those applicable to and governing psychologists set forth in Chapter 13 of this Part. For purposes of this Subpart, the rules within Chapter 13 applicable to licensed psychological associates and their scope of practice shall be interpreted by replacing the term *psychologist* with the term *licensed psychological associate*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1587 (October 2025).

## **Chapter 83. Telepsychology and Telesupervision**

### **§8301. Telepsychology and Telesupervision**

A. Unless specifically set forth in this Chapter, licensed psychological associates shall be governed by and comply with the telepsychology and telesupervision requirements applicable to psychologists as set forth in Chapter 14 of this Part. For purposes of this Subpart, the rules within Chapter 14 applicable to licensed psychological associates and their scope of practice shall be interpreted by replacing the term *psychologist* with the term *licensed psychological associate*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1587 (October 2025).

**Chapter 85. Disciplinary Action**

**§8501. Disciplinary Action**

A. Unless specifically set forth in this Chapter, licensed psychological associates shall be governed by and comply with all licensee provisions applicable to and governing psychologists set forth in Chapter 15 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2351 et seq., 37:2356.4

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Examiners of Psychologists, LR 51:1588 (October 2025).

Jaime T. Monic  
Executive Director

2510#029

**RULE**

**Department of Health  
Board of Nursing**

Peripherally Inserted Central Catheter (PICC)  
Insertion and Removal (LAC 46:XLVII.3707)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S.49:950 et seq., and through the authority granted in R.S. 37:918, that the Board of Nursing (LSBN) has amended Chapter 37, Section 3707, under Title 46, Professional and Occupational Standards, Part XLVII. The change repeals all language pertaining to Peripherally Inserted Central Catheter Insertion and Removal. This Rule is hereby adopted on the day of promulgation.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part XLVII. Nurses: Practical Nurses and Registered  
Nurses**

**Subpart 2. Registered Nurses**

**Chapter 37. Nursing Practice**

**§3707. Peripherally Inserted Central Catheter (PICC)  
Insertion and Removal**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 36:64 (January 2010) amended LR 39:501 (March 2013), repealed by the Department of Health, Board of Nursing, LR 51:1588 (October 2025).

Dr. Karen C. Lyon, PhD, MBA,  
APRN-CNS, NEA  
Executive Director/CEO

2510#013

**RULE**

**Department of Health  
Board of Pharmacy**

Nonresident Pharmacy (LAC 46:LIII.2301 and 2307)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy

amended §2301 and §2307 of its rules relative to Nonresident Pharmacy. The rule change removes §2301.A., which may be confusing and unnecessary when compared to current language in §2309. The rule change in §2307 reduces the minimum experience requirement for a pharmacist to qualify for a Pharmacist-in-Charge (PIC) privilege from two years of active practice to one year to align with the PIC requirements in Chapter 11. This Rule is hereby adopted on the day of promulgation.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LIII. Pharmacists**

**Chapter 23. Nonresident Pharmacy**

**§2301. Purpose**

A. This Chapter applies to any place physically located outside the state of Louisiana that provides services in the state of Louisiana where prescription drugs are dispensed and/or pharmacy care is provided to residents of the state of Louisiana. This includes, but is not limited to, pharmacies providing goods and services via U.S. mail carrier, commercial carrier, the Internet, and/or directly to Louisiana residents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1380 (December 1992), effective January 1, 1993, LR 29:2099 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, amended LR 49:680 (April 2023), LR 51:1588 (October 2025).

**§2307. Pharmacist-in-Charge**

A. The opportunity to accept an appointment as the pharmacist-in-charge (PIC) of a pharmacy is a professional privilege. The following requirements are attached to a PIC privilege.

1. The acquisition of the PIC privilege shall require:

a. - b. ...

c. active practice as a pharmacist for a minimum of one year under the jurisdiction of any board of pharmacy in the United States; and

A.1.d. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 18:1381 (December 1992), effective January 1, 1993, LR 29:2100 (October 2003), effective January 1, 2004, LR 33:1133 (June 2007), amended by the Department of Health, Board of Pharmacy, LR 43:50 (January 2017), LR 49:680 (April 2023), LR 51:1588 (October 2025).

M. Joseph Fontenot Jr.  
Executive Director

2510#002

**RULE**

**Department of Health  
Board of Pharmacy**

Pharmacy Technician Certificate Qualifications  
(LAC 46:LIII.905)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy amended §905 of its rules relative to pharmacy technician certificate qualifications. In response to Act 253 of the 2024 Louisiana Legislature, the rule change removes the practice requirement placed upon a pharmacy technician applicant from another state and recognizes the exception provided by the Act in regard to the examination requirement. This Rule is hereby adopted on the day of promulgation.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LIII. Pharmacists**

**Chapter 9. Pharmacy Technicians**

**§905. Pharmacy Technician Certificate**

A. - A.3.b. ...

c. In the event the applicant is currently licensed, registered, or otherwise credentialed by another state board of pharmacy for at least one year as a pharmacy technician in that state, the applicant shall demonstrate successful completion of a board-approved pharmacy technician certification examination, with the exception provided by the Welcome Home Act, R.S. 37:51 et seq.

4. ...

B. - B.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1212.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 30:2486 (November 2004), effective January 1, 2005, amended LR 38:1235 (May 2012), LR 39:1777 (July 2013), amended by the Department of Health, Board of Pharmacy, LR 43:2497 (December 2017), effective January 1, 2018, amended LR 46:576 (April 2020), LR 51:1589 (October 2025).

M. Joseph Fontenot Jr.  
Executive Director

2510#003

**RULE**

**Department of Health  
Board of Pharmacy**

Practitioner CDS License (LAC 46:LIII.2705)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy amended §2705 of its rules relative to a controlled dangerous substance (CDS) license for practitioners. The rule change is pursuant to Act 444 of the 2022 Regular Session of the Louisiana Legislature which expanded the authority to issue recommendations for medical marijuana to “authorized clinicians,” defined to include physicians, advanced practice

registered nurses with prescriptive authority, and medical psychologists. The rule change in §2705.C.4. allows an “authorized clinician” as identified in R.S. 40:1046.B. to apply for and be issued a CDS license to authorize the prescription or recommendation of medical marijuana. This Rule is hereby adopted on the day of promulgation.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LIII. Pharmacists**

**Chapter 27. Controlled Dangerous Substances**

**Subchapter B. Licenses**

**§2705. Licenses and Exemptions**

A. - C.3. ...

4. An “authorized clinician”, as identified in R.S. 40:1046.B., may apply for and be issued a CDS license to authorize the prescription or recommendation of the following controlled substances classified in Schedule I: marijuana, tetrahydrocannabinols, and synthetic derivatives of tetrahydrocannabinols; provided however that such prescriptions or recommendations shall only be authorized for therapeutic use in compliance with R.S. 40:1046.

D. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2129 (October 2008), amended LR 39:312 (February 2013), amended by the Department of Health, Board of Pharmacy, LR 46:570 (April 2020), LR 47:1640 (November 2021), LR 48:494 (March 2022), amended LR 51:1589 (October 2025).

M. Joseph Fontenot Jr.  
Executive Director

2510#004

**RULE**

**Department of Health  
Board of Social Work Examiners**

Credentials of Social Work Examiners  
(LAC 46:XXV.Chapters 1, 3, 5, 7, 9, 10, 11, and 13)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Board of Social Work Examiners (“Social Work Board”) has amended LAC 46: XXV. Chapters 1, 3, 5 and 7 and to enact LAC 46: XXV Chapters 10, 11 and 13.

Section 101 provides the scope and applicability of the rules. Section 111 is amended to clarify that the informed consent to provide services must be documented, to clarify that a social worker is prohibited from accessing records of any individual they are not treating without a legitimate purpose and to clarify the requirement that social workers supervising students must indicate their supervisory function when cosigning records. Section 113 is amended to clarify social work relationships. Section 125 is being enacted to adopt standards of practice specific to social work educators.

Section 301 is amended to add definitions for Part XXV. Section 305 is amended to provide qualifications for certification and licensure. Section 307 is amended to provide early testing. Section 309 is amended to be consistent with Act 215 (2021). Section 311 is amended to require licensed

clinical social workers to list all master's social workers and certified social workers that are under their supervision on their renewal form for licensure requirements.

Section 313 increases license renewal fees for LCSWs, CSWs, LMSWs, and RSWs, fees for late renewals and for written verification of licenses, certificates, and registrations, removes the fee for reissuing lost or duplicate identification card and postage for shipping and handling for mailing lists now sent electronically, and includes the current e-commerce fee in the rule. Section 317 regarding continuing education requirements is redesignated as Chapter 13. Continuing Education.

Section 319 is amended to be consistent with reciprocity requirements in R.S. 37:2712 as amended by Act 215 (2021). Section 325 enacts inactive status requested by social workers to take time away from active practice. During inactive status a social worker will be required to complete 10 hours of continuing education annually. Section 327 enacts emeritus status requested by social workers who have retired but desire to maintain a license to perform community service. Emeritus status requires 10 hours of continuing education annually and payment of one-half of the annual license renewal fee.

Section 503 is amended to be consistent with R.S. 37:2708(A)(3) as amended by Act 215 (2021). Section 505 is amended to make technical changes. Section 509 is enacted to promulgate rules and procedures regarding telesupervision as required by Act 457 (2024).

Chapter 7 is amended to rename the Impaired Professional Program the Recovering Professional Program, to authorize the administrator to refer a licensee to the program, and to revise program requirements.

Chapter 9, entitled Procedural Rules, is being repealed.

Chapter 10, entitled Procedural Rules for Disciplinary Hearing, is being adopted.

Chapter 11 is enacted to provide procedures for compliance hearings, declaratory orders, and hearings on matters other than disciplinary matters.

Chapter 13 is enacted to revise continuing education requirements. Section 1311 is enacted to change the collection period for continuing education hours and to authorize up to ten hours of continuing education to carry over to the next collection period. Section 1313 is enacted to authorize up to 10 hours of asynchronous distance or virtual learning or teaching and clarifies that synchronous, interactive webinars are in-person hours. Section 1315 is enacted to pro-rate the number of required continuing education hours for the initial year of a credential.

This Rule is hereby adopted on the day of promulgation.

#### **Title 46**

### **PROFESSIONAL AND OCCUPATIONAL STANDARDS**

#### **Part XXV. Credentialed Social Workers**

#### **Chapter 1. Standards of Practice**

#### **§101. Scope and Applicability**

A. The standards of practice apply to all social workers, as that term is defined in R.S. 37:2703. The use of the term social worker within these standards of practice includes all applicants and those who are registered, certified or licensed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Worker Examiners,

LR 26:295 (February 2000), amended by the Department of Health, Board of Social Work Examiners, LR 51:1590 (October 2025).

#### **§111. Practice Requirements**

A. - E. ...

F. Informed Consent

1. Social workers shall provide services to clients only in the context of a professional relationship with documented informed consent. Social workers should use clear and understandable language to inform clients of the plan for services, relevant costs, reasonable alternatives, the client's right to refuse or withdraw consent, and the time frame covered by the consent. Social workers shall provide clients with an opportunity to ask questions.

2. - 3. ...

G. Records

1.-3. ...

4. Social workers supervising students in field placement must indicate their supervisory function when cosigning records.

5. A social worker shall accurately complete and provide testimony, reports, assessments, evaluations, forms, or similar documentation in a timely manner. This includes all forms requested by the Louisiana State Board of Social Work Examiners.

6. ...

7. A social worker shall not access records of an individual they are not treating without legitimate purpose.

H. - H. 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Worker Examiners, LR 26:295 (February 2000), amended LR 37:2615 (September 2011), amended by the Department of Health, Board of Social Worker Examiners, amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), amended by the Department of Health, Board of Social Work Examiners, LR 51:1590 (October 2025).

#### **§113. Social Work Relationships**

A. Exploitation. A social worker's duty requires the promotion and advancement of the best interests and welfare of clients, students, and supervisees with whom the social worker has a professional social work relationship when the social worker's primary purpose is the provision of social work services. This duty also applies to social workers engaged in all areas of social work practice. It is a breach of this duty for a social worker to use the professional relationship to promote or advance the social worker's emotional, financial, sexual, or personal needs, or the social worker's personal, political, or religious agenda. Examples of exploitative behavior may include, but are not limited to, the following:

A.1. - A.7 ...

B. Dual Relationships. Social workers have an affirmative duty to maintain the best interest of clients and former clients as the predominant consideration during the existence of the social worker/client relationship and thereafter. While clients and former clients with whom the social worker has or had a clinical/therapeutic relationship are at greater risk, any relationship with a client or a former client exposes clients and former clients to the risk of exploitation. Social workers shall be aware, even in those instances where other relationships are not specifically prohibited, that the social

worker by promoting, encouraging, or participating in any relationship with a client or former client runs a risk of exploitation. Dual or multiple relationships occur when social workers relate to clients in more than one relationship, whether professional, social, or business. Dual or multiple relationships can occur simultaneously or consecutively. A social worker shall not knowingly engage in dual relationships with clients or former clients that compromise the well-being of the client or former client, impair the objectivity and professional judgment of the social worker, or increase the risk of client exploitation. When social workers provide services to two or more people simultaneously who have a relationship with each other (for example, couples or family members), social workers shall clarify with all parties which individual(s) are considered client(s) and the nature of the social worker's professional obligations to the various individuals who are receiving services. Social workers shall avoid multiple relationships with clients, (such as that of a therapist and custody evaluator, mediator, and parenting coordinator, etc.). Social workers who anticipate a conflict of interest among the individuals receiving services or who anticipate having to perform in potentially conflicting roles (for example, when a social worker is asked to testify in a child custody dispute or divorce proceedings involving clients) shall clarify their role with the parties involved and take appropriate action to minimize any conflict of interest.

1. Personal Relationships with Clinical/Therapeutic Clients. A social worker shall not engage in a personal relationship with a clinical/therapeutic client. When a social worker may not avoid a personal relationship with a clinical/therapeutic client, the social worker shall take necessary protective measures consistent with the best interests of the clinical/therapeutic client such as informed consent, consultation, or supervision to ensure that the social worker's objectivity and professional judgment are not impaired.

2. Personal Relationships with Former Clinical/Therapeutic Clients. A social worker may engage in a personal relationship, except as prohibited by §113.B.4., with a former clinical/therapeutic client, if the former clinical/therapeutic client was notified of the termination of the professional relationship. The social worker shall continue to consider the best interests of the former client and shall not engage in a personal relationship with the former client if a reasonable social worker would conclude that the former client continues to relate to the social worker in the social worker's professional capacity.

B.3. - B.9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board Certified Social Work Examiners, LR 26:297 (February 2000), amended LR 29:2381 (November 2003), LR 34:246 (February 2008), amended by the Department of Health, Board of Social Work Examiners LR 43:959 (May 2017), amended by the Department of Health, Board of Social Work Examiners, LR 51:1590 (October 2025).

### §117. Conduct

A. - D. ...

E. A social worker shall notify the Louisiana State Board of Social Work Examiners within 30 calendar days of any arrests or charges, to include DWI and DUI, regardless of

final disposition. Minor traffic offenses such as speeding, and parking tickets do not need to be reported.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:299 (February 2000), amended LR 29:2382 (November 2003), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40: 304 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 51:1591 (October 2025).

### §125. Social Work Educators

A. A social work educator's purpose is to educate social work students by various means in person or remotely including but not limited to classwork, lectures, field work, and mentorship.

B. Social work educators shall provide instruction only within their areas of knowledge and competence and shall be knowledgeable about current best practices.

C. Social workers who function as educators should not engage in dual relationships with students in which there is a risk of exploitation or potential harm to the student, including dual relationships that may arise while using social networking sites and other electronic media. Social work educators are responsible for establishing and maintaining clear, appropriate, and culturally sensitive boundaries.

D. A social work educator is afforded vast discretion in making academic, pedagogical, and administrative decisions. The board may not discipline a social work educator for an act or omission that falls within the purview of that discretion unless the act or omission involves conduct prohibited by subsections B and C of this Rule. The purview of this discretion includes without limitation, graded assignments, student discipline, curriculum development, pedagogical methods, and departmental and institutional matters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1591 (October 2025).

## Chapter 3. General Provisions

### §301. Definitions

A. For purposes of this Part, the following terms shall have the following meanings:

*Adjudicative Hearing*—a hearing whereby the merits of an administrative complaint are tried before a quorum of the Board for final disposition.

*Administrative Complaint*—the formal charging document prepared by the Prosecuting Officer and filed with the Board as the basis for a disciplinary adjudication.

*Administrator*—the Board Administrator or their successor, provided that the Administrator may delegate any of their duties under this Chapter to their subordinate employees unless strictly prohibited.

*Applicant*—any person who has submitted an application to the Board for any credential recognized by the Practice Act.

\* \* \*

*Chairperson or Chair*—the chair of the board.

*Client*—any person or group of persons who seek or receive social work services, including all persons or groups of persons to whom a social worker owes a professional duty of care and ethical practice. The term client is intended to have



the broadest possible meaning and may include individuals, couples, families, groups, organizations, communities, and systems.

\* \* \*

*Complainant*—the person submitting a complaint to the Board.

*Compliance Hearing*—a hearing conducted before a limited panel that provides a forum for an applicant denied a credential or a licensee denied renewal of a credential to present documentary evidence and sworn testimony to establish that the applicant or licensee meets the legal requirements for the credential or renewal thereof.

*Consent Discipline*—any final order of disciplinary sanctions agreed upon by the prosecuting officer and the respondent, whereby the respondent admits to some or all of the conduct alleged against them and accepts disciplinary sanctions in lieu of an adjudicative hearing.

\* \* \*

*En Banc Panel*—a panel composed of the entire Board.

\*\*\*

*General Counsel*—the attorney licensed to practice law in Louisiana independently retained by the Board for the purpose of advising and representing the Board in legal matters.

\* \* \*

*Hearing Panel*—the five- or three-person panel of board members appointed to render a decision at an adjudicative hearing or compliance hearing, as the case may be.

*Limited Panel*—a three-person hearing panel.

*Standard Panel*—a five-person hearing panel.

\* \* \*

*Interlocutory*—any decision on a matter that does not resolve the merits of a complaint, such as rulings on the admissibility of evidence.

*Licensee*—any person holding any credential authorized by the Practice Act.

*Person*—a natural or juridical person, including human beings, business entities, governmental agencies, or any other organization deemed a person by Louisiana Civil Code article 24.

*Practice Act*—the Social Work Practice Act, La. R.S. 37:2701 et seq.

\* \* \*

*Prosecuting Officer*—the licensed attorney or authority appointed by the Board or the Practice Act to prosecute complaints.

*Provisional Dismissal*—an order of dismissal that requires Board action before the dismissal can become final.

\* \* \*

*Respondent*—the applicant or licensee made the subject of a complaint filed with the board.

\* \* \*

*Social Work Educator*—an individual employed by or under contract or volunteering professional services with an educational institution's Social Work program for the purpose of educating social work students and who holds a registration, certification, or license in the field of social work.

\* \* \*

*Social Work Services*—those actions or undertakings rendered to a client that constitute "social work practice" as that term is defined by R.S. 37:2703.

\* \* \*

B. If a term is defined differently in another Chapter of this Part, that definition shall apply only for the purposes of the Chapter in which it appears. Otherwise, the definitions contained in this Section shall apply generally to this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:300 (February 2000), amended LR 34:247 (February 2008), LR 37:2616, (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), amended by the Department of Health, Board of Social Work Examiners, LR 51:1591 (October 2025).

### **§305. Qualifications for Registration, Certification, Licensure**

A. - B.3. ...

C. Certified Social Worker (CSW)

1. The board may issue certification to an applicant who meets all requirements for the LMSW except for passing the examination approved by the board.

2. The individual may hold the certification for up to three years from the date of issuance of the original certificate.

3. The CSW who does not pass the examination for the LMSW within three years from the date of issuance of the original certification may apply for the registered social work credential.

4. - 5. Repealed.

D. Licensed Clinical Social Worker (LCSW)

1. - 2. ...

3. All applicants beginning supervision on or after January 1, 2022, shall submit documentation verifying at least 3000 hours of supervised postgraduate social work practice that complies with R.S. 37:2708(A)(3) on a form provided by the board. Applicants beginning supervision before January 1, 2022, shall comply with the version of this Part and R.S. 37:2708 in effect at the time their supervision began.

4. Repealed.

D.5 - E.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:301 (February 2000), amended LR 29:2383 (November 2003), LR 34:1401 (July 2008), LR 37:2616 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:304 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 51:1592 (October 2025).

### **§307. Administration of Examination**

A. - D.2. ...

E. Early Testing. The board may allow candidates to test early in accordance with the policy set forth by the Association of Social Work Boards.

1. Students in their final semester of a graduate social work program as defined by R.S. 37:2703.10. may request on a form prescribed by the board and signed by the program dean, director, or another designee, approval to sit for the examination recognized by the board for obtaining the LMSW credential. All requirements of the application, other than the official master's transcript, must be complete for exam approval to be considered by the board. The applicant shall make a request to the university to submit the transcript

showing the conferred Master of Social Work degree directly to the board office within 15 days of its availability.

2. LMSWs in their final six months of supervision in accordance with §503 may request on a form prescribed by the board and signed by their board approved clinical supervisor, approval to sit for the examination recognized by the board for obtaining the LCSW credential. Applicants must have at least 75 hours of supervision and must complete all requirements of the LCSW application, other than the final supervision forms, for exam approval to be considered by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:302 (February 2000), repromulgated LR 29:2383, (November 2003), amended LR 37:2616 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:304 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 51:1592 (October 2025).

### §309. Application Procedure

A. Applications are to be completed electronically as provided by the board.

B. - C. ...

D. Applications and other required documentation must be received in the board office at least seven days prior to the board's meeting to be eligible for consideration.

E. The board shall refuse to consider any application not complete in every detail, including submission of every document required by the application form. At the board's discretion a more detailed or complete response to any request for information set forth on the application form may be required. Incomplete applications will not be considered submitted under R.S. 37:2709(B).

F. ...

G. Applicants are responsible for submitting all documentation required by R.S. 37:2706, 37:2707, 37:2708, or 37:2724, and by §305 concurrently with submission of their application to the board. The board may provide forms for submission of this information.

H. - K. Repealed.

L. ...

M. Repealed.

N. ...

O. Initial social work credentials issued during the three months prior to the renewal deadline (i.e. June, July, and August) will not be required to renew for the next fiscal year.

P. Procedure for Social Workers with Felony Convictions

1. It is the applicant's responsibility to submit documentation to the board sufficient to establish that the applicant meets the criteria of R.S. 37:2950.

2. The applicant shall collect and deliver the following documents to the board office concurrently with submission of their application:

a. ...

b. Repealed.

c. - e. ....

f. if the sentence included any form of imprisonment, residence at a half-way house, other forms of correctional and/or treatment facilities, the applicant must provide the complete address, names and current addresses of

any persons having information relating to the satisfactory completion of any such prison term, residence or treatment, and any related documents. In the event that medical, psychiatric, psychological, substance or alcohol abuse evaluation, treatment and rehabilitation was in any way part of the sentence or a term or condition of probation, the applicant will execute any releases which may be required for the board to obtain information. Such information obtained will be maintained by the board on a confidential basis;

g. - h. ...

i. true copies of any licenses, certificates to practice or similar documents issued by any board or licensing authority of any other state or the state of Louisiana obtained by the applicant since the date of the felony conviction and a complete listing of any college, graduate school, trade or business school and employers to whom he or she has made application since the date of the felony conviction. This includes any applications which were denied for any reason, including the felony conviction. Providing any false or misleading information, being evasive, concealing or making material omissions, or failing to cooperate shall form a basis for the denial of the application.

3. - 3.d. Repealed.

Q. - R.1.c ...

d. Repealed.

e. ...

2 - 2.d. Repealed.

3. - 3.b....

c. the completion of all forms and presentation of all documentation required for an application pursuant to R.S. 37:2712 and §319;

d. Repealed.

e. - f. ...

4. Applicants who present completed applications and the supporting documentation required by this Rule are eligible for a temporary social work practice permit at the level of the applicable social work credential which is the subject of the application. The board, through its staff, will give priority processing to such applications and, subject to verification of applications and supporting documentation, issue the appropriate temporary practice permit not later than 21 calendar days after the completed application is submitted. The temporary social work practice permit authorizes the applicant to practice social work at the designated level of the social work credential, consistent with the verified application and supporting documentation for a period of 90 days from the date of issuance.

5. As soon as practicable, but not longer than the duration of the applicant's temporary social work practice permit, the board will either grant the application for the applicable social work credential which is the subject of the application or notify the applicant of its denial.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:302 (February 2000), amended LR 29: 2383 (November 2003), LR 34:1402 (July 2008), LR 37:2617 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:305 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 51:1593 (October 2025).

**§311. Renewal Notice Requirements for LCSWs Supervising LMSWs or CSWs**

A. Licensed clinical social workers must list on their renewal form all licensed master’s social workers and certified social workers under their supervision for licensure requirements and the agency setting in which the LMSW or CSW is practicing.

B. - G. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:304 (February 2000), amended LR 29:2384 (November 2003), LR 34:247 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 51:1594 (October 2025).

**§313. Fees**

A. The fees charged by the Louisiana State Board of Social Work Examiners shall be as follows. These fees are nonrefundable.

Fee	Amount
1. Application fee for LCSW	\$100
2. Application fee for LMSW	\$75
3. Application fee for RSW	\$50
4. Application fee for retake of LCSW exam	\$50
5. Application fee for retake of LMSW exam	\$50
6. Renewal fee for LCSW	\$100
7. Renewal fee for LMSW and CSW	\$100
8. Renewal fee for RSW	\$50
9. Lapsed renewal fee for LCSW (submitted after August 31 but before March 1 of the following year)	\$200
10. Lapsed renewal fee for LMSW and CSW (submitted after August 31 but before March 1 of the following year)	\$200
11. Lapsed renewal fee for RSW (submitted after August 31 but before March 1 of the following year)	\$100
12. Fee for returned checks	\$25
13. Reissuance of lost or destroyed certificate	\$25
14. Fee for mailing list per licensee	\$0.05
15. Copy fee for documents	\$0.25 per page plus postage and handling
16. Fax transmissions	\$5 first page \$1 each additional page
17. Written verification of license, certificate or registration	\$25
18. E-commerce fee	\$3

B. Applicants seeking reinstatement of a license, certificate, or registration pursuant to R.S. 37:2714(D) or (E) shall pay the applicable initial application fee stated in subsection (A)(1) through (3) of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:304 (February 2000), amended LR 29:2384 (November 2003), LR 34:248 (February 2000), amended LR 29:2384 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011),

amended by the Department of Health, Board of Social Work Examiners, LR 51:1594 (October 2025).

**§317. Continuing Education Requirements**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 (February 2000), amended LR 29:2385 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), repealed, LR 51:1594 (October 2025).

**§319. Reciprocity and Endorsement**

A. The board may grant a license, certification or registration pursuant to a social worker credentialed in another state, territory, commonwealth, or district in accordance with R.S. 37:2712.

B. A social worker seeking a Louisiana license, certification or registration pursuant to this Rule bears the burden to establish that the state, territory, commonwealth, or district in which they are credentialed requires substantially equivalent educational, supervision, and examination requirements as would be required for a Louisiana license, certification or registration.

C. - C.7. Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:306 (February 2000), amended LR 34:249 (February 2008), LR 37:2619 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended LR 51:1594 (October 2025).

**§325. Inactive Status**

A. A social worker with any valid registration, certification or license may petition on a form provided by the board to be placed on inactive status. A social worker on inactive status may only engage in the following:

1. participate as a member in a social work professional organization without compensation provided that such participation does not involve providing services to clients; and

2. participate as a member or officer without compensation on a non-profit board of an organization so designated by the Internal Revenue Service, provided that such participation does not involve providing services to clients.

B. A social worker on inactive status shall maintain half of the continuing education units required of active social workers.

C. A social worker on inactive status may retain this status for no more than five consecutive years without submitting a new petition pursuant to subsection A. However, in no event may a social worker maintain inactive status for more than ten cumulative years. A social worker on inactive status must renew their license, certification or registration annually during the renewal period designated by law.

D. A social worker may terminate their inactive status by providing written notice to the board and completing the number and type of continuing education hours required for active social workers in the credential year in which active status is resumed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1594 (October 2025).

### §327. Emeritus Status

A. A social worker with any valid registration, certification or license who meets any of the following criteria may petition on a form provided by the board to be placed on emeritus (retired) status.

1. has attained the age of at least 60 years and has been credentialed by the board for at least 15 years;

2. has been designated as disabled by the appropriate authority and has been credentialed by the board for at least 15 years; or

3. has been credentialed by the board for at least 30 years.

B. A social worker on emeritus status may only engage in the following:

1. provide social work services on a volunteer basis and not for compensation;

2. participate as a member or officer in a social work professional organization; and

3. participate as a member or officer on a non-profit board of an organization so designated by the Internal Revenue Service.

C. A social worker on emeritus status shall maintain half of the continuing education units required of active social workers and shall pay one-half of the applicable renewal fee for the registration, certification or license.

D. A social worker on emeritus status may retain this status indefinitely.

E. A social worker may terminate emeritus status by providing written notice to the board and completing the number and type of continuing education hours required for active social workers in the credential year in which active status is resumed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1595 (October 2025).

## Chapter 5. Minimum Supervision Requirements

### §503. LMSWs Seeking the LCSW Credential

A. - C. ...

D. LMSWs seeking the LCSW credential must complete a minimum of 3,000 hours of postgraduate social work practice under the supervision of a board-approved clinical supervisor (BACS).

E. During the 3,000 hours of supervised practice, 96 hours of face-to-face supervision must occur between the supervisor and supervisee. Supervisory meetings must last no fewer than 30 minutes and no longer than 2 hours. In no case should more than 80 hours of practice occur without a supervisory meeting. Supervision credit shall not be issued for the time period that this requirement is not met.

F. - G. ...

H. Repealed.

I. - O.2. ...

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:307 (February 2000), amended LR 29:2387 (November 2003), LR 34:1402 (July 2008), LR 37:2620 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended by the Department of Health, Board of Social Work Examiners, LR 43:960 (May 2017), LR 46:791 (June 2020), amended LR 51:1595 (October 2025).

### §505. The LMSW not receiving BACS supervision or the CSW not eligible for BACS supervision

A. The LMSW who is not receiving BACS supervision or the CSW not eligible for BACS supervision, may deliver clinical services only under the supervision of an LCSW. Supervision under these circumstances does not require that the supervising LCSW have the board-approved clinical supervisor (BACS) designation.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:307 (February 2000), amended LR 34:249 (February 2008), LR 37:2620 (September 2011), amended LR 51:1595 (October 2025).

### §509. Telesupervision

A. Definitions

1. *In-Person Supervision*—clinical supervision conducted through real time, face-to-face meetings of the supervisee and supervisor in the same physical location.

2. *Telesupervision*—clinical supervision conducted through the use of real time, face-to-face synchronous interactive conferencing between the supervisee and supervisor through electronic, visual, and audio means.

B. Social workers engaging in electronic practice who provide services to clients in Louisiana shall be licensed to practice in Louisiana. Social workers who are licensed to practice in jurisdictions other than Louisiana and/or who are pursuing clinical licensure in another state shall be licensed to practice in Louisiana to engage in telesupervision. Social workers shall be actively engaged in the practice of social work in Louisiana to receive telesupervision. The supervisor shall be a Louisiana licensed supervisor.

C. A BACS licensed in Louisiana shall not provide telesupervision to social workers in pursuit of a clinical license in Louisiana who are not actively practicing social work in Louisiana. A BACS may provide telesupervision from outside of Louisiana, when located outside of Louisiana.

D. Licensed social workers who engage in telesupervision shall:

1. Complete 1.5 hours of continuing education in telesupervision. This is a one-time requirement. Documentation of completion shall be provided to the board.

2. Adhere to and preserve the confidential nature of supervision and the supervision process.

3. Ensure that clients whose records may be discussed as a part of supervision provide written informed consent to having confidential records and information transmitted electronically in accordance with Health Insurance Portability and Accountability Act (HIPAA) of 1996.

4. Conduct telesupervision in a setting that adheres to licensure and interstate boundaries regarding location of the supervisor and supervisee and in a manner that protects the privacy of both parties and client information. The supervisor

shall terminate the telesupervision session if the confidentiality of the process is compromised inclusive but not limited to malfunction or inoperability of the technology platform that contributes to the impediment of the telesupervision process.

5. Utilize secure transmittal methods, (encryption, for example) to maintain confidentiality of information and maintain proficient knowledge and skills in the utilization of electronic platforms.

6. Ensure continuity, consistency, and format of supervision delivery are clearly outlined in the written supervision contract. The supervision contract shall indicate the format of delivery and safeguards for the supervision process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1595 (October 2025).

## **Chapter 7. Recovering Professional Program Authority**

### **§701. Authority**

A. The Louisiana State Board of Social Work Examiners recognizes that impairments in the functioning of persons licensed, credentialed or registered to practice under the auspices of the Louisiana Social Work Practice Act can affect competent delivery of social work services and impair professional judgment.

B. Therefore, in order to safeguard the public health, safety, and welfare of the people of this state, as mandated by R.S. 37:2701, the Louisiana State Board of Social Work Examiners establishes the Social Work Recovering Professional Program.

C. If the board receives verifiable information, which information or report puts in question a licensee's or applicant's ability to perform the essential functions of practicing social work without risking injury to themselves or others, the licensee or applicant shall submit to such physical or mental examination, evaluation, test, or drug/alcohol screen as requested by the administrator or board designee to determine the licensee's or applicant's ability to practice social work with reasonable skill and safety.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2389 (November 2003), amended LR 34:249 (February 2008), amended LR 51:1596 (October 2025).

### **§703. Purpose**

A. The goal of the Social Work Recovering Professional Program is to provide for public protection through monitoring and a remediative course of action applicable to social workers who are physically or mentally recovering due to mental illness or addiction to drugs or alcohol. Impairments include, but are not limited to mental, medical, physical, and addictive disorders or other conditions. The program also supports recovery through preventive measures and allows entrance into the program before harm occurs.

B. ...

C. Professionals who participate in evaluation, monitoring or treatment and who are recognized approved or designated by the board to render these services are afforded the immunity provisions of the Social Work Practice Act, R.S.

37:2723. The social worker will be responsible for executing all required releases of information and authorizations required for the board or its designees to obtain information, from any monitor, treatment or service provider concerning the social workers progress and participation in the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2389 (November 2003), amended LR 34:249 (February 2008), LR 37:2620 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended LR 51:1596 (October 2025).

### **§705. Program Implementation**

A. The board may utilize its discretionary authority to require or exclude specific components of this program for participants based upon determination of the nature and severity of the impairment. Participation in the Social Work Recovering Professional Program may consist of all or part of the following components.

1. The program participant is required to submit to an intake interview conducted by the RPP Manager and/or evaluation by a board recognized treatment provider relative to the impairment.

a. If impairment is suspected to be related to addiction to drugs or alcohol, the evaluation is to be conducted by a team of professionals recognized by the Louisiana State Board of Social Work Examiners.

b. The format and content of this evaluation will meet the requirements designated by the board, but will at a minimum contain information concerning:

b.i - b.ii. ...

iii. an assessment of the participant's psychosocial, physical and other needs relative to the impairment;

iv. review of program participant's Prescription Monitoring Record;

v. observed urine, hair and blood testing for drugs and alcohol;

vi. collateral information; and

vii. recommendations for future treatment.

c. The evaluation will be forwarded to the board or its designee by the treatment team completing the assessment, to be received no later than 30 days following the board's determination of the participant's potential eligibility or requirement to participate in the program.

2. The participant may be required to submit to ongoing monitoring for a period of up to five years.

a. The beginning date of the monitoring period will be the date upon which a consent order or participation agreement is formally accepted and signed by the board, or the date of the board's official decision to require program participation in the event of an adjudication hearing.

3. During the monitoring period the social worker may be required to submit to random drug and/or alcohol screenings as determined appropriate by the RPP Manager, or other monitoring requirements which are pertinent and relative to the documented impairment.

a. The interval, timing and details of the required screening will be directed by the RPP Manager.

b. Results and reports of all screens for a minimum of the month prior will be submitted to the board or its designee during regularly scheduled board meetings.

4. ...

5. When the impairment is related to addiction, the social worker may be required to attend and participate in a Twelve Step recovery program, or an alternative mutual help program approved by the RPP Manager or the board.

a. Verification of monthly attendance at required Twelve Step and support groups must be submitted to and received by the board or its designee in the manner, format and timeline stipulated in social worker's participation agreement.

6. ...

7. In the event that a social worker relocates to another jurisdiction, the social worker will within five days of relocating be required to either enroll in the other jurisdiction's recovering professional program and have the reports required under that agreement sent to the Louisiana State Board of Social Work Examiners, or if the other jurisdiction has no recovering professional program, the social worker will notify the licensing board of that jurisdiction that the social worker is recovered and enrolled in the Louisiana Social Work Recovering Professional Program. Should the social worker fail to adhere to this requirement, in addition to being deemed in violation of the program requirements and corresponding consent order or adjudication, the social worker's social work credential will be suspended.

8. - 12. ...

13. The social worker must submit to the board an appropriately notarized participation agreement indicating acceptance of the required conditions of participation in the Social Work Recovering Professional Program mandated by the board, along with all initial (or updated) releases or authorizations for the board or its designees to obtain information concerning the social worker's participation and progress in the program. This statement and the required releases and authorizations must be submitted prior to the issuance of any initial credential or re-issuance of a renewal of a credential.

14. ...

B. The records of the RPP, including participation agreements and all information concerning participants, including assessments, evaluations, physical, mental or substance abuse evaluations and/or therapy and treatment records, monitoring logs, substance abuse/drug screens, attendance verification calendars and any other information received by the RPP in connection with a social worker's participation in the program are within the custody and control of the Louisiana State Board of Social Work Examiners. Consistent with §705(A)(14), such records shall be maintained by the board on a confidential basis during the term of the social worker's participation agreement and thereafter retained by the board for a period of not less than five years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2389 (November 2003), amended LR 34:250 (February 2008), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), amended LR 51:1596 (October 2025).

## **Chapter 9. Procedural Rules**

### **§901. Authority**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2390 (November 2003), amended LR 37:2621 (September 2011), repealed LR 51:1597 (October 2025).

### **§903. Complaint Origination**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2390 (November 2003), amended LR 37:2621 (September 2011), repealed LR 51:1597 (October 2025).

### **§905. Investigation Procedures**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2391 (November 2003), amended LR 34:1405 (July 2008), LR 37:2621 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), repealed LR 51:1597 (October 2025).

### **§907. Disposition of Investigation**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2391 (November 2003), amended LR 37:2621 (September 2011), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:306 (February 2014), repealed LR 51:1597 (October 2025).

### **§909. Administrative Complaint Procedure**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2392 (November 2003), repealed LR 51:1597 (October 2025).

### **§911. Notice of Administrative Complaint and Hearing Scheduling**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), amended by the Department of Health and Hospitals, Board of Social Work Examiners, LR 40:307 (February 2014), repealed LR 51:1597 (October 2025).

### **§913. Response to Complaint, Notice of Representation**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), repealed LR 51:1597 (October 2025).

### **§915. Pleadings, Motions; Service**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), repealed LR 51:1597 (October 2025).

### **§917. Pre-Hearing Motions**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), repealed LR 51:1598 (October 2025).

### **§919. Motions for Continuance of Hearing**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2393 (November 2003), amended LR 37:2622 (September 2011), repealed LR 51:1598 (October 2025).

### **§921. Disposition of Pre-Hearing Motions**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2394 (November 2003), repealed LR 51:1598 (October 2025).

### **§923. Rules of Evidence; Official Notice; Oaths and Affirmations; Subpoenas; Depositions and Discovery; Confidential Privileged Information, and Executive Session**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2394 (November 2003), repealed LR 51:1598 (October 2025).

### **§925. Designation of Hearing Panel, Disqualification and Replacement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2394 (November 2003), amended LR 37:2622 (September 2011), repealed LR 51:1598 (October 2025).

### **§927. Board's Independent Legal Counsel**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2395 (November 2003), repealed LR 51:1598 (October 2025).

### **§929. Pre-Hearing Conference**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2395 (November 2003), repealed LR 51:1598 (October 2025).

### **§931. Consolidation of Cases**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2395 (November 2003), repealed LR 51:1598 (October 2025).

### **§933. Conduct of Hearing; Record**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2395 (November 2003), repealed LR 51:1598 (October 2025).

### **§935. Evidence**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2396 (November 2003), repealed LR 51:1598 (October 2025).

### **§937. Decisions; Notice**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2396 (November 2003), repealed LR 51:1598 (October 2025).

### **§939. Rehearings**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2397 (November 2003), repealed LR 51:1598 (October 2025).

### **§941. Miscellaneous Rules**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2397 (November 2003), repealed LR 51:1598 (October 2025).

### **§943. Compliance Hearing**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2397 (November 2003), repealed LR 51:1598 (October 2025).

### **§945. Declaratory Ruling**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29:2398 (November 2003), amended LR 37:2622 (September 2011), repealed LR 51:1598 (October 2025).

## **Chapter 10. Procedural Rules for Disciplinary Hearings**

### **§1001. Authority**

**[Formerly §901]**

A. Consistent with the legislative purpose specified in R.S. 37:2701 et seq., and to protect the safety and welfare of the people of this state against unauthorized, unqualified and improper practice of social work, the following rules, standards, and procedures are established under the board's rule making authority of R.S. 37:2705(C), 37:2717(C)(E) and R.S. 49:952.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 29: 2390 (November 2003), repromulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 37:2621 (September 2011), LR 51:1598 (October 2025).

### **§1003. Purpose and Construction**

A. The purpose of this Chapter is to ensure that all persons appearing before the board are afforded the right to due process and to a fair investigation and adjudication of matters under the board's authority.

B. This Chapter shall be construed to accomplish the purpose stated in Subsection A above.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

### **§1005. Simplification and Accessibility**

A. In accordance with the stated purpose and required construction of this chapter, the board may provide information to licensees and applicants summarizing and simplifying this chapter; however, these informational materials will not supersede this Chapter.

B. The board may also prepare and disseminate forms to assist complainants and respondents in the investigative and adjudicative process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

### **§1007. Duty to Maintain Contact Information;**

#### **Notification to Applicant or Licensee; Service**

A. All applicants and licensees have a duty to maintain current contact information with the board, including an accurate mailing address, a serviceable email address, and a current telephone number.

B. Unless a more specific method of service is required by these rules, notification to a licensee or applicant shall be sufficient if such notification is sent to the applicant's or licensee's email address or first-class mail to the applicant's or licensee's mailing address on file with the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

### **§1009. Complaint Origination**

A. The administrator is authorized to receive complaints against licensees and applicants from any person. The administrator is also authorized to initiate a complaint upon receipt of information that, if proven, would constitute grounds for discipline under the Practice Act or this Part.

B. Upon receipt of a complaint, the administrator shall verify its compliance with this Chapter. The administrator may reject a complaint if:

1. the respondent cannot be determined from the complaint;
2. the respondent is neither a licensee nor an applicant;
3. the complaint is illegible or incomplete; or
4. the complaint does not allege facts which, if proven, would constitute a violation of the Practice Act or this Part.

C. When the administrator rejects a complaint pursuant to subsection B, the complainant shall be notified in writing. The administrator shall report to the board at its next regularly scheduled meeting the nature of any rejected complaints and the reason for the rejection.

D. All complaints received by the administrator and not rejected shall be assigned a complaint number in accordance

with a numbering system prescribed by the administrator. The administrator shall notify the respondent in writing that a complaint has been received.

E. When two complaints concern the same or related respondents and describe the same or a substantially similar event, transaction, or conduct, the administrator may consolidate the complaints. The board may order two or more complaints consolidated or sever consolidated complaints for good cause.

F. To assist in an investigation, the board is authorized to issue, as necessary or upon request, such investigative subpoenas as may be required to obtain documents, the appearance of witnesses, or sworn statements or testimony.

G. As part of an investigation, the board is authorized to obtain criminal history record information from respondents who have not previously submitted to the requirements of R.S. 37:2710.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

### **§1011. Consideration of Recommended and Provisional Dismissals; Declining Prosecution**

A. The administrator or prosecuting officer may recommend that a complaint be dismissed at any time prior to final adjudication. Recommendations for dismissal by the administrator or the prosecuting officer and provisional dismissals for withdrawn complaints pursuant to §1056 must be reviewed by a board member and considered by the board prior to final dismissal. Complaints rejected by the administrator pursuant to §1010(B) are exempt from the procedures in this Section.

B. Prior to each regular meeting of the board, the chairperson shall designate one or more board members, on a rotating basis, to review all recommendations for dismissal and applicable provisional dismissals since the previous regular board meeting. The administrator will forward all complaint files recommended for dismissal or provisionally dismissed to the board member designated for review.

C. For recommended dismissals, the reviewing board member shall evaluate the complaint file to ensure that the dismissal recommendation is sound and is appropriately based in law and fact. The reviewing board member may also review any recommended remedial or educational measures, or the lack thereof, for appropriateness.

D. If the reviewing board member concurs with the recommendation that a complaint be dismissed, the board member shall make an oral report to the board and personally move for the complaint's dismissal at the next regular board meeting following review.

E. If the reviewing board member disagrees with the recommendation that a complaint be dismissed, the board member shall make an oral report to the board outlining the nature of the disagreement and recommend that the complaint be returned to the administrator for prosecution. If, after a complaint is returned to the administrator under this subsection, the prosecuting officer nevertheless declines to prosecute the complaint, the prosecuting officer shall file a written notice with the board and provide the reasons for declining prosecution.

F. The standard for provisional dismissals based on withdrawn complaints is stated in §1056.



G. When a board member reviews a recommended or provisional dismissal under this Section, the board member shall not sit on a hearing panel adjudicating that complaint without the consent of the respondent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1599 (October 2025).

### **§1013. Prerequisites for Institution of Administrative Proceedings; Showing of Compliance**

A. At any point before an Administrative Complaint is filed with the board, the administrator shall notify the respondent of the nature of the potential charges against the respondent and permit the respondent to provide a response within 30 calendar days.

B. If the respondent submits evidence to show compliance in response to this notice within the time allowed, the administrator and prosecuting officer shall review the evidence and determine whether it is legally sufficient to constitute compliance with all lawful requirements for the retention of a registration, certification, or license under the Practice Act. If the evidence provided is not sufficient, the prosecuting officer shall institute administrative proceedings pursuant to §1016. If the administrator and prosecuting officer are satisfied that the evidence submitted is sufficient to show compliance, the matter shall be docketed for the next regularly board meeting as a recommended dismissal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

### **§1015. Institution of Administrative Proceedings**

A. Upon exhaustion of the procedures in §1014, the prosecuting officer shall file an administrative complaint with the board.

B. Upon receipt of an administrative complaint, the administrator shall docket the matter for adjudicative hearing at a regular meeting of the board. The administrator shall serve the filed administrative complaint and written notice of the hearing to the prosecuting officer and to the respondent pursuant to the Practice Act. The administrator shall also notify the respondent, in writing, of any deadlines for pre-hearing motions or other submissions.

C. The respondent may file a response to the allegations in the administrative complaint, admitting or denying the allegations of fact and law and urging any defenses potentially applicable.

D. The administrator shall be responsible for serving the prosecuting officer with any response filed by the respondent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

### **§1017. Right to Counsel; Notice of Representation**

A. The respondent has the right to be represented by an attorney in all administrative proceedings before the board.

B. An attorney representing a respondent before the board must file a notice of representation with the board prior to the attorney's first appearance. This notice must include the attorney's name, bar roll number, telephone number, mailing address, and email address.

C. Upon receipt of a notice of representation, the administrator shall advise the prosecuting officer of such notice and shall direct all communications to the respondent's attorney.

D. Nothing in this section shall be construed to require the board to furnish a respondent's legal representation nor to require an attorney be provided to a respondent free of charge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

### **§1019. Pre-Hearing Motions and Other Filings**

A. Any party may file one or more motions in advance of an adjudicative hearing. The nature of the relief sought by the motion must be concisely stated and supported by facts and law in the motion itself or in an accompanying memorandum.

B. The following is a non-exclusive list of pre-hearing motions:

1. Motion to Dismiss;
2. Motion to Exclude Evidence or Testimony;
3. Motion to Recuse Board Member or Hearing Officer;
4. Motion to Continue (Delay) Hearing;
5. Motion to Compel Production of Documents or Things; and
6. Motion to Compel Appearance of a Witness.

C. Pre-hearing motions may be filed at any time prior to the adjudicative hearing.

D. All pre-hearing motions shall be assigned to the hearing officer. The hearing officer may issue a ruling on the motion in writing prior to the adjudicative hearing or orally as a preliminary matter at the adjudicative hearing. Oral argument on the pre-hearing motion may be granted at the hearing officer's discretion.

E. Oral motions may be heard, considered, and decided at the beginning of an adjudicative hearing at the discretion of the hearing officer.

F. Interlocutory decisions of the hearing officer are immediately appealable to the hearing panel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

### **§1021. Discovery**

A. The parties may conduct discovery pursuant to the Louisiana Administrative Procedure Act.

B. The parties shall exchange all documents they intend to use as exhibits in an adjudicative hearing no less than ten days prior to the hearing. For good cause shown, exhibits exchanged after the deadline may be considered at the adjudicative hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

### **§1023. Hearing Panels**

A. After the board has selected its regular meeting dates for a calendar year, the chair shall designate a standard panel and limited panel for each regular meeting of the board. The panels so designated shall hear and decide all adjudicative hearings and compliance hearings docketed for that date

unless necessary to comply with Subsection D of this Section. The chair shall ensure, to the extent practicable, that each panel is diverse.

B. All adjudicative hearings take place before a standard panel; however, a respondent may request in writing to proceed before a limited panel. Upon receiving such request, the administrator will docket the adjudicative hearing before a limited panel.

C. In the event one or more members of a hearing panel are not present for the hearing, the chair shall designate a board member to substitute for the assigned hearing panel member. If there are not enough qualified board members present to compose a standard panel, an adjudicative hearing may proceed before a limited panel only if the respondent consents or if the hearing is being conducted in default. If the respondent is present but does not consent, the adjudicative hearing shall be continued to the next available hearing date.

D. When the respondent is a licensee, the hearing panel shall include a board member possessing the same credential as the respondent unless the members with the same credential are recused or this requirement is waived by respondent. If the panel assigned for the hearing date does not include a member possessing the same credential as the respondent, a panel member with a different credential shall be replaced by a member with the same credential as the respondent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1600 (October 2025).

#### **§1025. Hearing Officer**

A. Upon docketing of an administrative complaint, if the chair will not serve as the hearing officer, the chair shall appoint a hearing officer assigned to the complaint. The name of the hearing officer appointed shall be affixed to the administrative complaint filed with the board and shall be noted on all motions and other documents filed with the board relating to the complaint.

B. The hearing officer must be one of the following:

1. the chair;
2. a member of the board;
3. the general counsel; or
4. an attorney licensed in Louisiana appointed by the board.

C. When the hearing officer is a member of the board, the hearing officer shall take part in deliberations and in rendering a decision after the adjudicative hearing. When the hearing officer is not a board member, the hearing officer shall provide advice and guidance to the hearing panel upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1601 (October 2025).

#### **§1027. Recusal**

A. Board members, hearing officers, and prosecuting officers have a duty to recuse themselves from proceedings in the following circumstances:

1. the board member, prosecuting office, or hearing officer is a witness in the proceedings;

2. the board member, prosecuting officer, or hearing officer has a familial or professional relationship with the respondent or the complainant such that failure to recuse would cast doubt upon the validity and fairness of the proceedings; or

3. the board member, prosecuting officer, or hearing officer is biased, prejudiced, or interested in the proceeding or its outcome or biased or prejudiced toward or against the parties or the parties' attorneys or any witness to such an extent that they would be unable to conduct fair and impartial proceedings.

B. Any party may move to recuse a board member or hearing officer for good cause shown. Motions to recuse shall be considered by the hearing panel, excluding the board member sought to be recused who shall not participate in the hearing of the motion. The motion to recuse shall be heard as soon as practicable after the motion is filed. The motion shall be granted only if a majority of the panel finds recusal appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1601 (October 2025).

#### **§1029. Open Meetings; Privilege; Confidentiality**

A. Proceedings before the board, including adjudicative hearings, shall be conducted in accordance with the Louisiana Administrative Procedure Act, as modified by the Louisiana Public Records Law (R.S. 44:1, et seq.) and any other state or federal law of privacy or privilege.

B. To the extent applicable, the testimonial privileges set out in the Practice Act and the Louisiana Code of Evidence will apply to the hearings before the board. By bringing a complaint against a social worker, the client waives the privilege of confidentiality with respect to any information necessary for the board to adjudicate the matter.

C. The board shall take all reasonable steps to protect confidential records from public disclosure, including sealing documents or records or designating portions of a complaint file or record of adjudication as confidential and not subject to public disclosure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1601 (October 2025).

#### **§1031. Pre-Hearing Conference**

A. Prior to an adjudicative hearing, the parties may request, or the hearing officer may order, a pre-hearing conference. Any such request or order shall be in writing and filed with the board. A pre-hearing conference may be in person or conducted via telephone or videoconference.

B. The parties may use the pre-hearing conference to simplify and condense the issues, agree on the introduction of evidence, develop stipulations, develop a narrative of facts, or employ any other mechanism to simplify and streamline proceedings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1601 (October 2025).

### **§1033. Record of Adjudication**

A. The administrator shall be responsible for maintaining a record of adjudication for each complaint. The record of adjudication shall contain all documents required by R.S. 37:2717(C).

B. All adjudicative hearings shall be transcribed in full by a properly credentialed court reporter. The transcript of the adjudicative hearing shall become part of the record of adjudication. Other ancillary hearings, such as hearings on pre-hearing motions, consideration of consent discipline, or other proceedings, may also be transcribed by a properly credentialed court reporter and may become part of the record of adjudication.

C. The administrator may seal portions of the record of adjudication in the interest of protecting privacy or privilege of a client or other affected person.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

### **§1035. Conduct of Adjudicative Hearing**

A. Adjudicative hearings are conducted in open session, except where closed or executive session is specifically authorized by law, as identified in these Rules.

B. At the adjudicative hearing, the prosecuting officer and the respondent may present evidence on all issues of fact and argument on all issues of law and policy involved; may call, examine, and cross-examine witnesses; and may offer and introduce documentary evidence and exhibits as may be required for a full and true disclosure of the facts and disposition of the complaint.

C. During the hearing, the hearing officer shall rule upon all evidentiary objections and other procedural questions, but in their discretion may consult with the hearing panel in executive session. The general counsel, when not serving as the hearing officer, may assist the hearing officer and the hearing panel, either in open session or executive session, in ruling on evidentiary objections and other procedural issues raised during the hearing.

D. The order of presentation in an adjudicative hearing, unless the parties stipulate otherwise and the hearing panel approves, is first the presentation of evidence by the prosecuting officer, the presentation of evidence by the respondent, then rebuttal by the prosecuting officer (if any). Rebuttal shall be directed to issues raised by the evidence and defenses presented by the respondent. In the interest of fairness, the respondent may be provided a limited opportunity to present additional evidence following rebuttal.

E. Hearing panel members may question any witness at any time during the witness' testimony when recognized by the hearing officer. Additional direct examination, cross-examination, or redirect examination by either party to address responses to questions by hearing panel members shall be permitted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

### **§1037. Evidence and Proof in Adjudicative Hearings**

A. In an adjudicative hearing, the hearing panel may give weight to evidence that a reasonable person would find

credible and probative. The panel may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence. Objections to evidence may be made by the parties and shall be noted in the record.

B. Any documents either party desires the hearing panel to consider may be offered as an exhibit and made part of the record of adjudication. Copies or excerpts of documents are competent evidence if they are properly authenticated.

C. When the interests of the parties will not be prejudiced, any part of the evidence may be received in written form.

D. Unless prohibited by law, the hearing panel will honor and receive written and verbal stipulations between the parties as established facts, provided that verbal stipulations are entered on the record of adjudication by all parties or their counsel.

E. The hearing officer shall have the power to administer oaths or affirmations to all witnesses appearing to give testimony. The hearing officer shall regulate the course of the adjudicative hearing, set the time and place of continued hearings, and fix the time for the filing of post-hearing briefs and other documents (if any are required or requested).

F. In an adjudicative hearing, the Louisiana Code of Evidence may be used as a reference by the hearing panel for admissibility of evidence and other evidentiary issues. The provisions of the Code of Evidence relating to hearsay are not strictly applicable to adjudicative hearings.

G. At an adjudicative hearing, the burden of proof rests with the prosecuting officer. A hearing panel shall not impose a sanction or issue an order except upon consideration of the entire record of adjudication, as supported by and in accordance with reliable, probative, and substantial evidence. The burden of proof related to any issue is that of a preponderance of the evidence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

### **§1039. Notice of Generally Recognized Facts and Social Work Principles**

A. Upon its own motion or on request of a party, the hearing panel may take notice of and accept facts not disputed.

B. The hearing panel may draw upon its knowledge of social work, social work practice, and social work methodology in evaluating any evidence presented.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

### **§1041. Closing Arguments; Post-Hearing Filings; Submission of Matter**

A. At the close of evidence, the parties may offer closing arguments. The prosecuting officer shall offer closing arguments first, followed by the respondent. The prosecuting officer may provide a rebuttal after the respondent's closing argument.

B. The hearing panel may request the parties file post-hearing memoranda, proposed findings of fact and conclusions of law, or any other post-hearing filings that would assist the hearing panel in adjudicating the matter. All documents shall be filed within the delay prescribed by the

hearing panel. A matter will be deemed submitted to the hearing panel when the deadline set by the hearing panel for accepting post-hearing filings has passed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1602 (October 2025).

#### **§1043. Decision on Adjudicative Hearing**

A. When a matter has been submitted, the hearing panel shall deliberate and reach its findings of fact and conclusions of law as soon as practicable. The hearing panel shall render its decision in writing within 60 calendar days after the matter's submission.

B. The hearing panel's findings of fact and conclusions of law, including any sanction if applicable, shall be issued by the hearing officer on behalf of and in the name of the board. In any decision in which the hearing panel's decision was not unanimous, those hearing panel members deciding with the majority shall be noted in the decision. Any panel member disagreeing with any portion of the decision shall note their dissent on the decision and may supply written reasons for the dissent.

C. A copy of the decision and any written reasons shall be served promptly upon respondent or their counsel of record and on the prosecuting officer in the same manner of service prescribed for the service of complaints. The decision shall include deadlines for filing a petition for rehearing and petition for administrative appeal.

D. A decision becomes a final adjudication when delays for rehearing and administrative appeal have run without further action or when a decision has been administratively appealed and resolved by an en banc panel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

#### **§1045. Rehearing**

A. A party may request rehearing by filing a petition for rehearing with the Board pursuant to R.S. 49:959. This petition must be filed within 10 calendar days of the entry and mailing of the decision.

B. A petition for rehearing shall be submitted to the matter's hearing officer, who shall determine whether the matter will be reopened and, if so, the issues to be reopened.

C. On rehearing, the hearing panel in the original adjudicative hearing shall receive evidence as to the reopened issues and shall reach a decision as provided in §1044.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

#### **§1047. Administrative Appeal**

A. A respondent aggrieved by a decision of a hearing panel may administratively appeal the decision to an en banc panel.

B. A respondent commences an administrative appeal by filing a petition for administrative appeal with the board no less than 30 calendar days after the expiration of the time to file a petition for rehearing or after a decision on rehearing is rendered. The petition for appeal need only give notice of the grounds for the appeal and the relief sought.

C. The en banc panel may request written briefs, oral argument, or both. If written briefs are requested, the en banc panel shall provide the parties with a reasonable briefing schedule.

D. On appeal, the en banc panel may reverse or modify factual determinations only if they are clearly wrong. The en banc panel may reverse or modify legal conclusions, rulings on evidence, and sanctions imposed only if it finds the hearing panel or hearing officer abused its discretion.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

#### **§1049. Informal Resolution through Consent Discipline**

A. At any point after the administrator's receipt of a complaint but before final adjudication, the respondent may resolve the complaint through consent discipline, provided that any consent discipline must be approved by the prosecuting officer and the board.

B. Upon approval by the board, consent discipline is deemed to be a final adjudication of the complaint and is not subject to rehearing or administrative appeal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

#### **§1051. Voluntary Relinquishment of Credential in Lieu of Discipline**

A. A licensee may request to resolve any complaint pending against them by filing with the board at any time a petition for voluntary relinquishment of credential. The petition shall include the licensee's name, credential number, and a statement that the licensee wishes to voluntarily surrender their registration, certification, or license in lieu of answering the complaint against them.

B. A petition for voluntary relinquishment of credential may be granted by the board in its discretion. The board may grant the petition based only on the complaint and written submissions of the respondent or may order the respondent to appear for a hearing.

C. If the board grants a petition for voluntary relinquishment of credential, the order granting such petition must contain the following information:

1. identification of the respondent and any credential number held by the respondent;
2. a statement of the respondent's alleged conduct, including the underlying material facts and the statutes or rules the respondent is alleged to have violated;
3. a statement that the respondent has chosen to petition the board for voluntary relinquishment of their credential rather than answer the allegations against them;
4. instructions to the respondent as required to complete the surrender;
5. amounts to be paid to the board, including costs and attorney's fees, as part of the surrender, if any;
6. additional conditions of the surrender, if any;
7. conditions imposed upon the respondent's reapplication for any credential, including any moratorium on reapplication; and

8. a statement that the order is a public record and will become part of the respondent's permanent disciplinary record.

D. A licensee who has voluntarily relinquished their credential shall be treated as a new applicant if they seek any credential from the board after such relinquishment. The licensee shall be ineligible for any credential unless and until all conditions of their relinquishment, such as payment of costs or fees, have been satisfied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1603 (October 2025).

#### **§1053. Default**

A. When notice has been sent to a respondent's address of record via U.S. Certified or Registered Mail and the respondent fails to appear without good cause, the adjudicative hearing may proceed in the absence of the respondent. When the respondent fails to appear, the hearing panel shall first conduct an evidentiary hearing to determine whether the respondent was sent notice of the hearing as required by this Part.

B. When an adjudicative hearing proceeds according to this section, the rules concerning evidence and proof remain applicable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

#### **§1055. Withdrawal of Complaint**

A. A complainant may withdraw a complaint at any time prior to submission of the matter to the hearing panel under §1042. The complainant withdraws a complaint by written notice to the administrator.

B. When a complaint is withdrawn, the administrator shall provisionally dismiss the complaint if there are no remaining violations to be adjudicated. The administrator shall then transmit the claim file to a reviewing board member pursuant to the procedures outlined in §1012.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

#### **§1057. Summary Suspension and Other Interim Action**

A. Pursuant to R.S. 37:2717(B)(6), when the administrator or prosecuting officer believes that protection of the public health, safety, or welfare imperatively requires emergency action on a complaint at any stage of the disciplinary process, the administrator, prosecuting officer, or both may petition the chair for a summary suspension of a licensee or any other temporary, interim action against a licensee or applicant.

B. The petition must be in writing, must clearly identify the threat to the public health, safety, or welfare presented by the licensee, and must state the interim action sought. The petition must be filed with the chair.

C. Upon receipt of a petition pursuant to this section, the chair will immediately appoint a limited panel who will hear and adjudicate the petition. The limited panel will convene a

hearing no more than 10 days after the chair's receipt of the petition.

D. The respondent shall be notified of the petition and the hearing as quickly as reasonably possible by the administrator or prosecuting officer. The respondent must be permitted to be heard if the respondent requests it. A hearing without notice to the respondent and an opportunity to be heard is null except under the most extraordinary of circumstances whereby advance notice of the petition and hearing to the respondent would result in additional harm to the public health, safety, or welfare.

E. The limited panel shall render its decision in writing and serve it on all parties as quickly as practicable.

F. The respondent may, at any time, move to dissolve any interim action taken against them by filing a motion to dissolve with the chair. To dissolve the interim action, the respondent must establish that either:

1. The petition for interim action was improvidently granted, or

2. The threat to the public health, safety, or welfare occasioned by the respondent's acts or omissions no longer exists.

G. Motions to dissolve must be heard by the same limited panel that heard the initial petition for interim action.

H. Interim action may be modified upon motion of a party or on the limited panel's own motion. Interim action dissolves upon dismissal or final adjudication of the underlying complaint.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

#### **§1059. Meetings and Hearings by Videoconference**

A. Testimony may be received in any hearing or meeting pursuant to this Chapter via teleconference or videoconference when necessary for the interests of justice and expediency, provided the hearing or meeting is conducted in compliance with relevant open meetings laws.

B. No teleconference or videoconference may proceed under this Chapter if the respondent, licensee, or applicant whose credential or application is at issue cannot meaningfully participate in the teleconference or videoconference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

#### **§1061. Letter of Concern or Education; National Database Reporting**

A. The board may issue a letter of concern or education when there is insufficient evidence of a violation.

B. Notwithstanding the board's reporting obligations under 45 CFR 60.4 et seq., a letter of concern or education will not result in a "disciplinary flag" as that term is described in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1604 (October 2025).

## **Chapter 11. Procedural Rules for Other Hearings**

### **§1101. Compliance Hearing; Purpose; Scope; Burden of Proof**

A. Pursuant to R.S. 37:2710, an applicant or licensee whose application for a credential or renewal of a credential is denied may petition the board for a compliance hearing.

B. The purpose of a compliance hearing is to provide a forum for the applicant or licensee to present documentary evidence through affidavits, court records, official records, letters, or other papers or things, along with sworn testimony to establish that the applicant in fact meets the lawful requirements for the application or for the retention or renewal of the credential.

C. In a compliance hearing, the burden of proof rests with the applicant or licensee to establish that they meet the criteria for the application or renewal of their credential or that the renewal was timely.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

### **§1103. Petition for Compliance Hearing**

A. A compliance hearing is instituted by the timely filing of a petition for compliance hearing with the board. Any written request for a compliance hearing will be accepted as a petition under this Rule.

B. A petition for a compliance hearing must be filed with the board within 30 days after notice of an application or renewal denial is sent and must contain specific objections to the denial.

C. The administrator may reject a petition for a compliance hearing that does not comply with these rules or is untimely. If the administrator rejects a petition for a compliance hearing on grounds other than untimeliness, the administrator shall notify the applicant or licensee in writing and provide an extension of seven days within which the applicant or licensee may cure the defect in the petition.

D. All petitions for a compliance hearing received by the administrator and not rejected pursuant to subsection C shall be assigned a compliance hearing number in accordance with a numbering system prescribed by the administrator.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

### **§1105. Docketing of Compliance Hearings; Panels; Hearing Officer**

A. Upon receiving a petition for a compliance hearing, the administrator shall docket the compliance hearing for the next regularly scheduled board meeting and notify the applicant or licensee of the date and time of the hearing in writing. In the event the petition is received less than seven days prior to the next regularly scheduled board meeting, the administrator may, in their discretion and in consultation with the applicant or licensee, docket the compliance hearing for the following regularly-scheduled board meeting.

B. A compliance hearing shall be conducted before the limited panel assigned pursuant to §1024 of Chapter 10. However, in the event more than one compliance hearing is docketed for the same date, the administrator may constitute a second limited panel to conduct compliance hearings. When

two limited panels are constituted for the same date, the administrator shall randomly assign the docketed compliance hearings to the panels. These two limited panels may meet simultaneously.

C. Prior to each compliance hearing, the limited panel shall designate one of its members as hearing officer. The hearing officer shall administer oaths, maintain order at the hearing, fix new hearing dates as required, and rule on other matters relating to the hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

### **§1107. Compliance Hearing; Record**

A. The administrator will maintain a record of each compliance hearing.

B. The compliance hearing may be transcribed by a court reporter. If the applicant or licensee requests that the hearing be transcribed, the applicant or licensee shall pay such court reporter's fees.

C. The record shall consist of the applicant or licensee's application, letter of denial, any documents provided by the applicant or licensee, and the transcript of the hearing, if any.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

### **§1109. Compliance Hearing; Right to Counsel**

A. An applicant or licensee may be represented by counsel at a compliance hearing.

B. The hearing panel may consult with the general counsel on any legal issues emerging from a compliance hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

### **§1111. Compliance Hearing; Decision**

A. Upon conclusion of the applicant's or licensee's presentation of evidence, the hearing officer will deem the compliance hearing concluded and the matter submitted. The limited panel shall not receive any additional evidence or testimony once the matter is submitted.

B. Within 15 business days after the compliance hearing concludes, the panel will render its final decision in writing, including findings of fact and conclusions of law. The decision will be delivered by certified or registered mail, return receipt requested, to the applicant or licensee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

### **§1113. Compliance Hearing; Appeal from Decision of Limited Panel**

A. In the event that the limited panel's decision is adverse to the applicant or licensee, the applicant or licensee may appeal to an en banc panel. To appeal, the applicant or licensee must submit a written notice of appeal to the administrator within 10 calendar days of mailing of the limited panel's decision. The notice must contain a brief statement as to the

grounds for the appeal and the reason(s) the limited panel's decision was error.

B. Upon receipt of a timely filed notice of appeal, the administrator shall docket the appeal for the next regularly-scheduled board meeting and notify the applicant or licensee of the date and time of the hearing in writing. In the event the notice of appeal is received less than seven days prior to the next regularly-scheduled board meeting, the administrator may, in their discretion and in consultation with the applicant or licensee, docket the appeal for the following regularly-scheduled board meeting.

C. Appeals will be conducted on the record made before the limited panel, including the panel's findings of fact, conclusions of law, and recommendations. The en banc panel will review the findings of fact and conclusions of law of the limited panel and the evidence and exhibits as submitted, as well as any written submissions or assignments of error.

D. The chair will deem the appeal submitted once the en banc panel has had sufficient time to review the record and submissions and arguments of the parties, if any.

E. The en banc panel will have 30 calendar days from submission of the appeal to render a decision on the appeal. The decision shall be in writing and shall be transmitted to the applicant or licensee in the same manner as the original decision on the compliance hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1605 (October 2025).

#### **§1115. Miscellaneous Orders and Rules to Show Cause**

A. When necessary to protect the public health, safety, or welfare against the unauthorized, unqualified, and improper practice of social work, or otherwise in furtherance of its duties under the Practice Act or this Part, the board may issue such orders or rules to show cause to any licensee or applicant as it deems necessary.

B. The board may not use this rule to circumvent any process described in La. R.S. 37:2717(C) or set forth in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1606 (October 2025).

#### **§1117. Declaratory Rulings**

A. Any person subject to the Practice Act or this Part may petition the board for a declaratory ruling regarding the applicability of any portion of the Practice Act or this Part.

B. A petition for a declaratory ruling shall include all of the following:

1. the name of the person requesting the declaratory ruling;
2. the specific statute(s) or rule(s) upon which a declaratory ruling is requested;
3. a succinct statement of facts and circumstances upon which the board is requested to base its declaratory ruling; and
4. a request for a declaratory ruling.

C. The administrator shall receive all petitions for declaratory rulings and shall assign each a number in accordance with a numbering system prescribed by the administrator. Upon receiving a petition for declaratory ruling, the administrator shall docket the petition for the next

regularly scheduled board meeting and notify the petitioner of the date and time of the hearing in writing. In the event the petition is received less than seven days prior to the next regularly scheduled board meeting, the administrator may docket the petition for the following regularly-scheduled board meeting.

D. Petitions for declaratory rulings shall be considered by the board in open session.

E. The board shall issue a declaratory ruling upon majority vote of those board members present and voting. The ruling shall be reduced to writing and issued in the name of the board. In any decision in which the board's decision was not unanimous, those board members deciding with the majority shall be noted in the decision.

F. The board may deny a petition for a declaratory ruling if the board determines:

1. the petition requests a declaratory ruling on matters outside the scope of the Practice Act or this Part;
2. the facts and circumstances upon which the board is requested to base its ruling are incomplete or unclear; or
3. the petition concerns an ongoing disciplinary matter, pending litigation, or a pending application.

G. The board's decision on a petition for declaratory ruling shall be rendered within 60 calendar days after the hearing on the petition.

H. All decisions on petitions for declaratory ruling shall be public record.

I. Nothing in this section shall prevent the board from responding to informal correspondence from applicants, licensees, or entities requesting information or clarification of board actions, policies, practices, or rules. Such correspondence shall not be deemed to constitute a petition for declaratory ruling unless the requirements of this section are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1606 (October 2025).

### **Chapter 13. Continuing Education Requirements**

#### **§1301. Purpose**

The purpose of continuing education is to protect the public by ensuring that social workers have formal opportunities to upgrade and update professional knowledge and skills, encouraging social workers to learn from other professionals, and assigning social workers to expand their professional resources network. Consequently, approved learning situations emphasize opportunities for professional interaction and relationship-building.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §1317(A) and (B) (February 2000), amended LR 29:2385 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), amended and redesignated to §1301 by the Department of Health, Board of Certified Social Work Examiners, LR 51:1606 (October 2025).

#### **§1303. Continuing Education Approval Organizations**

A. The board may delegate approval of continuing education programming to one or more continuing education approval organizations.

B. Any provider of social work services, professional social work organization, or school of social work approved by the Council for Social Work Education may apply to the Board to become a continuing education approval organization, provided that such organization must have a significant and continual affiliation with the social work profession to be approved.

1. The application must be submitted in writing on a form provided by the Board.

2. The application must be accompanied by no fewer than three letters of reference, on a professional letterhead and bearing an original wet or electronic (not typewritten) signature, from any of the following, none of which may be directly personally related to the applicant nor hold a personal or professional stake in the outcome of the application:

- a. a provider of social work services;
- b. a professional social work organization; or
- c. a school of social work approved by the Council for Social Work Education.

3. The application must succinctly state:

- a. the nature and purpose of the organization;
- b. the organization's connection to the social work profession;
- c. the timeframe for the organization to make a decision on continuing education submissions; and
- d. the fee structure the organization will use and the fees the organization will charge to evaluate continuing education submissions.

4. The application must be signed by the chief executive officer or agency head of the organization.

5. The application must include the name, credential, credential number, and curriculum vitae or resume of the social worker who will review and approve or deny continuing education submissions.

C. Only a licensed, certified, or registered social worker may review and approve or deny continuing education submissions on behalf of a continuing education approval organization. Clinical continuing education offerings may only be approved by a licensed clinical social worker.

D. Continuing education approval organizations must comply with this Chapter in evaluating continuing education submissions, including, without limitation, §1305 relating to approved educational offerings and assessment of continuing education programs.

E. The board's delegation of authority under this section shall be effective for three calendar years from the date the board approves the application.

F. The board may revoke its delegation of authority under this section to any continuing education approval organizations at any time and for any reason.

G. The board shall not discriminate against any person or organization seeking to become a continuing education approval organization based upon race, religion, creed, national origin, age, sex, sexual orientation, gender expression, differing abilities, or political beliefs. No continuing education approval organization shall discriminate against any person or organization seeking approval of continuing education programming based upon race, religion, creed, national origin, age, sex, sexual orientation, gender expression, differing abilities, or political beliefs.

H. The board may audit any continuing educational approval organization by requiring the organization to submit documentation to the Board on all programs the organization approved in a collection year.

I. The board may charge an application fee not to exceed two hundred fifty dollars for applications and reapplications to become a continuing education approval organization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1606 (October 2025).

### **§1305. Criteria for Approval of Continuing Education Offerings**

#### **[Formally §317(M) and (P)]**

A. The following learning forums are approved for continuing education as long as they contain content applicable to social work practice:

1. in-person educational offerings and synchronous interactive webinars sponsored by or approved by social work licensing bodies, a Board authorized pre-approval organization, state and national professional social work organizations, and schools accredited by the Council on Social Work Education;

2. educational offerings sponsored by or offered by entities approved by the Association of Social Work Boards;

3. asynchronous virtual learning (teleconferences, telecourses, home-study courses and pre-recorded or internet courses) sponsored by entities listed in this section, or pre-approved by a Board-authorized pre-approval organization cannot exceed a total of 10 clock hours of the required 20 clock hours of continuing education required annually for renewal of social work credentials;

4. continuing education activities or academic courses provided by accredited schools of social work. Academic course work counts per actual class hour;

5. presentations of content applicable to social work practice at professional conferences, staff development meetings, and other appropriate forums in which the licensee is the primary presenter;

6. attendance at staff development presentations with content applicable to social work practice (such as a staff meeting with a formal and in-depth presentation on working with clients who present borderline symptoms, etc.). The presenter's name, credentials, date of presentation and nature of the content covered must be provided. Case based staffing meetings are not included as appropriate continuing education experiences;

7. attendance at professional social work meetings, Association of Social Work Boards (ASWB) item writing workshops, symposiums, panel discussions, or conferences sponsored by the professional associations suggested in this section. The dates and nature of content or consultation covered must be provided;

8. formal study groups of three or more participants. Licensees must submit names, addresses, telephone numbers and credentials of group members to the board. Study groups must maintain records of topics, attendance, meeting times, and presenters for audit purposes;



9. contracted professional consultation which the credentialed social worker receives. Licensees must provide the paid consultant's name, address, telephone number, credentials, and the dates and focus of the consultation;

10. preparation of substantial written material with content applicable to social work practice which requires literature search, research, and explication of social work content (such as writing a social work article or book for publication, or a major grant application). Specific information about the nature of the written work, the effort required, and the publisher or funding agency must be provided. These activities may be counted for no more than five hours continuing education.

11. reading books or journal articles with content applicable to social work and followed by a face-to-face discussion as part of an organized workshop. A maximum of one hour credit can be obtained from reading a book if the licensee signs a statement that they read the book, attended the discussion about the book, and passed the pre-test administered prior to the face-to-face discussion with at least 70 percent. The one-hour credit for reading is considered asynchronous virtual learning. Credit for the discussion counts as actual time spent in the discussion and counts as in-person continuing education.

12. viewing documentary film with content applicable to social work practice not deemed for the general public and followed by a face-to-face discussion. The film shall be pre-approved by the board and must rate a ten or higher on the Guide for Assessment of Continuing Education to qualify for continuing education credit;

13. independent study pre-approved by the board;

14. attendance at regular meetings of the board, for which social workers may receive credit for actual time spent attending the public portion of the meeting-one hour of this time will be designated as an ethics hour and all other time will be designated as general continuing education provided, however, that no social worker may receive more than ten hours of continuing education per collection period from attending meetings of the board or its committees;

15. attendance at meetings of the committees of the board, for which social workers may receive credit for actual time spent attending the meeting-the chair of the committee shall designate in advance the nature of the continuing education credit received by attendees, provided, however, that no social worker may receive more than ten hours of continuing education per collection period from attending meetings of the board or its committees.

B. Should the individual licensee make the determination that an education offering which is not pre-approved by one of the approval organizations has content applicable to social work practice, the Guide for Assessment of Continuing Education in this Section must be used. This document, as well as all the relevant course materials, and the certificate of completion must be maintained in the event the licensee is audited.

C. The following learning situations will not be accepted for continuing education credit:

1. banquet speeches;
2. non-social work content courses not directly related to enhancement of social work skills or performance as a social work employee. (Example: Computer, financial or

business management courses designed to enhance the business of private practice);

3. staff orientation, administrative staff meetings and case management meetings;

4. book reports or critiques of professional journal articles; and

5. a continuing education offering that rates a zero in any category of the Guide for Assessment of Continuing Education in this Section.

D. Guide for Assessment of Continuing Education. As continuing education events vary across the categories listed below, the appropriateness of considering them as acceptable continuing education also varies. Continuing education approval organizations must use the criteria in this Subsection to evaluate continuing education offerings. An event must receive a total score (combination of all three sections) of at least 10 to be acceptable for continuing education to renew a social work credential. If any category below rates a zero, the education offering is not acceptable for social work continuing education.

#### PROGRAM CONTENT

(Clearly Acceptable)

\_\_\_\_ 6) Mainstream social work knowledge, skills and values

\_\_\_\_ 6) Specialized social work knowledge, skills and values

\_\_\_\_ 4) Information from related fields that is useful for social work practice

\_\_\_\_ 2) Developing areas that may lack strong research, support or clear application

\_\_\_\_ 0) Content that is specifically not acceptable or not related to social work practice

(Clearly Not Acceptable)

#### PROGRAM PRESENTER

(Clearly Acceptable)

\_\_\_\_ 5) Social worker with appropriate expertise in content area

\_\_\_\_ 4) Related professional with ability to connect content to social work practice

\_\_\_\_ 2) Lay-person (e.g., client) on the impact of needing/receiving services

\_\_\_\_ 0) Presenter with no apparent professional qualifications nor link to social work practice

(Clearly Not Acceptable)

#### PROGRAM AUDIENCE

(Clearly Acceptable)

\_\_\_\_ 4) Social work practitioners/students

\_\_\_\_ 4) Interdisciplinary professional audience that may include social workers

\_\_\_\_ 3) Audience presumed to be primarily from another profession (e.g., nursing)

\_\_\_\_ 1) Audience open to the general public

\_\_\_\_ 0) Audience presumed to be primarily the general public

(Clearly Not Acceptable)

Total Score \_\_\_\_ (add score from each section to get Total Score)

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C and (G) and 37:2714.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR

26:305 as §317(M)(P)(O) (February 2000), amended and redesignated to §1305(A)(B)(C) and (D) by the Department of Health, Board of Social Work Examiners, LR 51:1607 (October 2025).

### **§1307. Continuing Education Teaching Credit**

A. Continuing education credit may be earned through teaching in an approved continuing education activity, provided that the social worker is the primary presenter.

1. Presentations accompanied by thorough, high quality, readable, and carefully prepared written materials will qualify for continuing education credit on the basis of six hours of credit for each instructional hour of presentation. The continuing education approval organization must review the submitted materials for sufficiency in order for the presenter to qualify for credit under this Subparagraph.

2. Presentations accompanied by one- or two-page outlines or not accompanied by written materials will qualify for continuing education credit on the basis of three hours of credit per hour of presentation.

3. Repeat presentations qualify for one half of the credits available for the initial presentation.

4. In the event more than one social worker presents a continuing education presentation, teaching credit shall be divided among the number of presenters for each hour of presentation.

5. The social worker is responsible for securing and retaining appropriate documentation for teaching credit from the continuing education approval organization that approves the teaching credit.

B. Credit may also be earned through teaching a course in a Council on Social Work Education-accredited program.

1. A social worker will earn six hours of continuing education credit for each hour of academic credit awarded by the college or university for the course.

2. Repeat courses taught qualify for one half of the credits available for the initial course taught unless the material has been substantially changed or updated.

3. The social worker is responsible for securing and retaining appropriate documentation for teaching credit.

4. Credit will be awarded upon completion of the course.

C. Subject to the additional limitations of §1313 of this Chapter, no social worker may earn more than eighteen hours of continuing education credit per collection period through teaching.

D. Teaching credit awarded pursuant to this section will retain the designation of the material taught. For example, social workers giving a clinical continuing education presentation will receive clinical continuing education credit pursuant to this section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1609 (October 2025).

### **§1309. Audit**

A. The board may audit any credential social worker. Random audits ensure that the continuing education mandate is applied fairly to all credential social workers.

B. Social workers must keep records of continuing education experiences for at least one year and be able to explain the nature of the content covered. For audit purposes, only certificates of attendance, sign-in sheets signed by a

representative of the sponsoring organization, or an original letter from the sponsoring organization will be accepted as proof of attendance for continuing education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §317(C) (D), and (E) (February 2000), amended LR 29:2385 (November 2003), LR 34:248 (February 2008), LR 37:2618 (September 2011), amended by the Department of Health, Board of Social Work Examiners, LR 43:959 (May 2017), amended and redesignated to §1309(A) and (B) by the Department of Health, Board of Certified Social Work Examiners, LR 51:1609 (October 2025).

### **§1311. Collection Period**

A. The collection period for continuing education hours is commensurate with the annual license, certificate, and registration renewal period. Continuing education must be completed, and proof of completion submitted to the Board no later than the last day of the renewal period.

B. Social workers may carry over up to ten surplus hours of continuing education from one collection period into a subsequent collection period. Hours will retain their designation in the subsequent collection period except for the following:

1. Ethics hours; and
2. BACS supervision hours.

C. The two-year collection period for ethics continuing education hours and clinical supervision training hours required to maintain board-approved clinical supervisor designation ends in even-numbered years with the close of the continuing education collection period. Social workers must complete these hours during the two years preceding the close of this collection period to be in compliance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1609 (October 2025).

### **§1313. Distance or Virtual Learning Limit; Approval to Exceed**

A. Social workers may not submit more than ten hours of continuing education via asynchronous virtual learning or teaching in any collection period except as provided in this Section. Synchronous, interactive webinars are considered in-person learning and are not contemplated by this Section.

B. The board may grant a social worker approval to complete more than 10 hours of continuing education via asynchronous virtual learning in the case of debilitating, disabling, or other medical conditions making travel impossible or extremely inconvenient, if the social worker resides outside of United States territories where no in-person continuing education is available, or for other good cause shown. The social worker shall provide satisfactory documentation for the grant of approval.

C. The board may, by motion adopted at a regular or special meeting of the board, temporarily suspend the limitations of this section in the event of a public emergency or other extenuating circumstances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1609 (October 2025).

**§1315. Pro-Rated Continuing Education for Initial Year of Credential**

A. Continuing education hours are pro-rated as follows during the initial year of registration, certification or licensure.

Month Received	Hours Required
June, July, August	0
September, October, November	20
December, January, February	15
March, April, May	10

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 26:305 as §317(G) (February 2000), redesignated to §1315(A) by the Department of Health and Hospitals, Board of Certified Social Work Examiners, LR 51:1610 (October 2025).

**§1317. Request for Modification of Continuing Education Requirements**

A. Social workers seeking modification of generally applicable continuing education requirements pursuant to R.S. 37:2714(G) or this Chapter must submit a request in writing to the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2705.C.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Certified Social Work Examiners, LR 51:1610 (October 2025).

Emily DeAngelo  
Administrator

2510#035

**RULE**

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

Hospital Services  
Coverage of Gene Therapies for Sickle Cell Disease  
(LAC 50:V.120)

The Department of Health, Bureau of Health Services Financing has adopted LAC 50:V.120 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

**Title 50**

**PUBLIC HEALTH—MEDICAL ASSISTANCE**

**Part V. Hospital Services**

**Subpart 1. Inpatient Hospitals Services**

**Chapter 1. General Provisions**

**§120. Coverage of Gene Therapies for Sickle Cell Disease**

A. Effective for dates of service on or after July 1, 2025, gene therapies for sickle cell disease administered during an inpatient stay shall be reimbursed outside of the per diem rate for the inpatient stay. Claims for gene therapies for sickle cell disease shall be reimbursed at actual acquisition cost.

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

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 51:1610 (October 2025).

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

Bruce D. Greenstein  
Secretary

2510#054

**RULE**

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

Nursing Facilities  
Reimbursement Methodology  
(LAC 50:VII.Chapter 200)

The Department of Health, Bureau of Health Services Financing has amended LAC 50:VII.Chapter 200 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. Pursuant to R.S. 49:961(E)(4)(b)(ii), the governor has deemed this rulemaking action acceptable on October 10, 2025. This Rule is hereby adopted on the day of promulgation.

**Title 50**

**PUBLIC HEALTH—MEDICAL ASSISTANCE**

**Part II. Nursing Facilities**

**Subpart 5. Reimbursement**

Editor's Note: This Subpart has been moved from LAC 50:VII.Chapter 13 and renumbered.

**Chapter 200. Reimbursement Methodology**

**§20001. General Provisions**

**A. Definitions**

*Active Assessment*—a resident MDS assessment is considered active when it has been accepted by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS). The assessment will remain active until:

- a. a subsequent minimum data set (MDS) assessment for the same resident has been accepted by CMS;
- b. the maximum number of days (121) for the assessment has been reached;
- c. the record has been replaced by a modified assessment;
- d. the record has been inactivated; or
- e. the resident has been discharged.

\*\*\*

*Assessment Reference Date*—the last day of the MDS observation period, denoted at MDS item A2300. This date is used to determine the due date and delinquency of assessments.

\*\*\*

*Case-Mix Documentation Review (CMDR)*—a review of original legal medical record documentation and other documentation as designated by the department in the MDS

supportive documentation requirements, supplied by a nursing facility provider to support certain reported values that resulted in a specific PDPM classification on a randomly selected MDS assessment sample. The review of the documentation provided by the nursing facility will result in the PDPM classification being supported or unsupported.

*Case-Mix Index (CMI)*—a numerical value that describes the resident’s resource needs within the groups under the patient driven payment model (PDPM) classification system, prescribed by the department based on the resident’s MDS assessments. CMIs will be determined for each nursing facility on a quarterly basis using all residents.

\* \* \*

*Delinquent MDS Resident Assessment*—an active MDS assessment that is more than 121 days old, as measured by the assessment reference date (ARD) field on the MDS, and an MDS assessment that lacks the MDS item responses necessary to calculate a valid PDPM Health Insurance Prospective Payment System (HIPPS) code.

*Department*—the Louisiana Department of Health (LDH), and the associated work product of its designated contractors and agents.

\* \* \*

*Final Case-Mix Index Report (FCIR)*—the final report that reflects the acuity of the residents in the nursing facility during the reporting period.

a. - b. ...

*Index Factor*—generated pursuant to 42·CFR·413.333.

*MDS Supportive Documentation Requirements*—the department’s publication of the minimum documentation and review standard requirements for the MDS items associated with the PDPM classification system. These requirements shall be maintained by the department and updated and published as necessary.

\* \* \*

*Optional State Assessment (OSA)*—assessment required by the Medicaid program. Allows nursing facility providers using RUG-III models as the basis for Medicaid payment to do so until the legacy payment model (RUG-III) ends.

\* \* \*

*Patient Day*—a unit of time, a full 24-hour period, during which a Medicaid beneficiary is receiving care in a hospital or skilled nursing facility.

*Patient Driven Payment Model (PDPM)*—the Medicare payment rule for skilled nursing facilities. The PDPM identifies and adjusts different case-mix components for the varied needs and characteristics of a resident’s care and then combines these with a non-case-mix component to determine the full skilled nursing facilities (SNF) prospective payment system (PPS) per diem rate for that resident.

a. Effective as of the July 1, 2025, rate setting, for Medicaid program nursing facility case-mix index and reimbursement rate calculation purposes, the following PDPM components will be utilized to calculate the nursing facility provider’s total residents average CMI and Medicaid residents average CMI under a blended approach. This is done by using case-mix index weights, effective October 1, 2024, as listed in table 5 from the final SNF PPS payment rule for FY 2025 (CMS-1802-F):

- i. physical therapy: 15 percent;
- ii. occupational therapy: 15 percent;
- iii. speech language pathology: 8 percent;

- iv. non-therapy ancillary: 12 percent; and
- v. nursing: 50 percent.

*Point-In-Time Acuity Measurement System (PIT)*—Repealed.

*Preliminary Case-Mix Index Report (PCIR)*—the preliminary report that reflects the acuity of the residents in the nursing facility during the reporting period.

a. - b. ...

*RUG-III Resident Classification System*—the resource utilization group used to classify residents. When a resident is sorted into more than one classification group using RUG-III, the RUG-III group with the greatest CMI will be utilized to calculate the nursing facility provider’s total residents average CMI and Medicaid residents average CMI.

a. Effective June 30, 2025, the RUG-III Resident Classification System will no longer be utilized to classify residents except for the purposes of calculating the phase-in as described in §20005.D.4.e.

\* \* \*

*Unsupported MDS Resident Assessment*—an assessment where one or more data items that are used to classify a resident pursuant to the PDPM classification, resident classification systems are not supported according to the MDS supportive documentation requirements and a different PDPM classification, would result; therefore, the MDS assessment would be considered “unsupported.”

B. - C.7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 46:2742, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 28:1473 (June 2002), repromulgated LR 28:1790 (August 2002), amended LR 28:2537 (December 2002), LR 32:2262 (December 2006), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:825 (March 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1522 (September 2016), LR 43:525 (March 2017), LR 43:2187 (November 2017), LR 46:695 (May 2020), LR 46:1684 (December 2020), LR 50:219 (February 2024), LR 51:1610 (October 2025).

## §20005. Rate Determination

### [Formerly LAC 50:VII.1305]

A. - C.6. ...

#### D. Determination of Rate Components

1. Facility Specific Direct Care and Care Related Component. This portion of a facility's rate shall be determined as follows.

a. - d. ...

e. The statewide direct care and care related floor is established at 94 percent of the direct care and care related resident-day-weighted median cost. For periods prior to January 1, 2007 the statewide direct care and care related floor shall be reduced to 90 percent of the direct care and care related resident-day-weighted median cost in the event that the nursing wage and staffing enhancement add-on is removed. Effective January 1, 2007 the statewide direct care and care related floor shall be reduced by one percentage point for each \$.30 reduction in the average Medicaid rate due to a budget reduction implemented by the department. The floor cannot be reduced below 90 percent of the direct care and care related resident-day-weighted median cost. Effective for rate periods coinciding with the phase-in established in §20005.D.4.e, July 1, 2025, through December 31, 2026, the

statewide direct care and care-related floor is established at 90 percent of the direct care and care related resident-day-weighted median cost.

D.1.f - D.4.d.v. ...

e. Effective for rate periods beginning July 1, 2025, through December 31, 2026, each applicable nursing facility provider will receive an additional pass-through rate adjustment to allow for a phase-in of the PDPM resident classification system used for determining case-mix indices. The nursing facility provider pass-through rate adjustment will be calculated and applied as follows.

i. For each rate period during the phase-in, the nursing facility provider's direct care and care-related rate components will be calculated in accordance with §20005.D.1 using the PDPM resident classification system to determine the nursing facility cost report period case mix index and nursing facility-wide average case mix index values.

ii. For use in calculating a differential, the nursing facility provider's July 1, 2025, direct care and care-related rate components will also be calculated in accordance with §20005.D.1 using the RUG-III resident classification system to determine the nursing facility cost report period case mix index and nursing facility-wide average case mix index values.

iii. For each rate period during the phase-in, the direct care and care-related rate components differential will be determined by subtracting the direct care and care-related rate components calculated for July 1, 2025, using the RUG-III resident classification system as described in §20005.D.4.e.ii from the direct care and care-related rate components calculated using the PDPM resident classification system for determining the case-mix indices as described in §20005.D.4.e.i.

iv. If the calculated direct care and care-related rate components differential exceeds a positive or negative \$5, then a pass-through rate adjustment will be applied to the nursing facility provider's reimbursement rate. The pass-through rate will be applied in an amount equal to the difference between the rate differential total and the ±\$5 threshold. This will be done in order to ensure the nursing facility provider's direct care and care-related rate components are not increased or decreased more than \$5 as a result of the change to the PDPM resident classification system for determining the case-mix indices.

(a). Should the nursing facility provider, for the rate periods used in calculating the rate differential, receive an adjusted nursing facility-wide average case mix index value due to a CMDR change or other factors, the facility will have its direct care and care-related rate components differential recalculated using the revised case mix index values. The ±\$5 rate change threshold will apply to the recalculated differential and associated case mix index values, not the original differential calculation.

v. If a nursing facility provider's calculated direct care and care-related rate components differential does not exceed the ±\$5 rate change threshold, then no pass-through rate adjustment will be applied for the applicable rate period.

D.5. - Q....

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 28:1791 (August 2002), amended LR

31:1596 (July 2005), LR 32:2263 (December 2006), LR 33:2203 (October 2007), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 36:325 (February 2010), repromulgated LR 36:520 (March 2010), amended LR 36:1556 (July 2010), LR 36:1782 (August 2010), LR 36:2566 (November 2010), LR 37:902 (March 2011), LR 37:1174 (April 2011), LR 37:2631 (September 2011), LR 38:1241 (May 2012), LR 39:1286 (May 2013), LR 39:3097, 3097 (November 2013), LR 41:707 (April 2015), LR 41:949 (May 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 43:82 (January 2017), LR 43:526 (March 2017), LR 46:1684 (December 2020), LR 51:1611 (October 2025).

#### **§20006. Reimbursement Adjustment** **[Formerly LAC 50:VII.1306]**

A. ...

B. In the event the department is required to implement positive adjustments in the nursing facility program pursuant to Louisiana Constitution Art. VII, §10.14(E)(1), a separate nursing facility add-on shall be created and calculated as follows:

1. Without changing the parameters established in these provisions, if the average Medicaid program rates established annually at each July 1 are below the previous state fiscal year's average Medicaid program rates (simple average of the four quarters), the department shall implement an increase to the average Medicaid rate. This will be done by adding to the reimbursement rate paid to each nursing facility an amount equal to the difference between the July 1 Medicaid program rate and the previous state fiscal year's average Medicaid program rates. The add-on will be paid to each nursing facility using an equal amount per patient day.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 30:804 (April 2004), amended by the Department of Health Bureau of Health Services Financing, LR 51:1612 (October 2025).

#### **§20007. Case-Mix Index Calculation** **[Formerly LAC 50:VII.1307]**

A. The Resource Utilization Groups-III (RUG-III) Version 5.20, 34-group, index maximizer model shall be used as the resident classification system to determine all case-mix indices, using data from the minimum data set (MDS) submitted by each facility. Standard Version 5.20, or its successor, case-mix indices developed by CMS shall be the basis for calculating average case-mix indices to be used to adjust the direct care cost component. Resident assessments that cannot be classified to a RUG-III group, will be excluded from the average case-mix index calculation.

1. Prior to the July 1, 2025, rate setting, the RUG-III, Version 5.20, 34-group index maximizer model is used as the resident classification system to determine all case-mix indices.

B. Effective as of the July 1, 2025, rate setting, PDPM case-mix groups and case-mix index weights effective October 1, 2024, as listed in table 5 from the final SFY PPS payment rule for FY 2025 (CMS-1802-F) are used as the resident classification system to determine all case-mix indices, using data from the MDS submitted by each facility. PDPM case-mix index weights effective October 1, 2024, developed by CMS, shall be used to adjust the direct care cost component. A hierarchical methodology is used to determine the individual CMIs. A blended approach is used to determine

the case-mix indices to adjust the direct care cost component. The percentages used for blended approach are as follows:

1. physical therapy: 15 percent;
2. occupational therapy: 15 percent;
3. speech language pathology: 8 percent;
4. non-therapy ancillary: 12 percent; and
5. nursing: 50 percent.

C. Assessments completed prior to January 1, 2025, that cannot be classified to a PDPM case-mix group, will be excluded from the average case mix index calculations.

D. Assessments completed on or after January 1, 2025, that cannot be classified to a PDPM case-mix group, will be assigned the lowest CMI value relative for each PDPM component.

E. Each resident in the nursing facility with a completed and submitted assessment, shall be assigned a PDPM case-mix groups, based on the following criteria.

1. Prior to the January 1, 2017, rate setting, the RUG-III group, or its successor, is calculated based on the resident's most current assessment, available on the last day of each calendar quarter, and shall be translated to the appropriate case mix index. From the individual resident case mix indices, two average case mix indices for each Medicaid nursing facility provider shall be determined four times per year based on the last day of each calendar quarter.

2. Effective as of the January 1, 2017, rate setting, the RUG-III group, PDPM group, will be calculated using each resident MDS assessment transmitted and accepted by CMS that is considered active within a given calendar quarter. These assessments are then translated to the appropriate case mix index. The individual resident case mix indices are then weighted based on the number of calendar days each assessment is active within a given calendar quarter. Using the individual resident case mix indices, the calendar day weighted average nursing facility-wide case mix index is calculated using all residents regardless of payer type. The calendar day weighted nursing facility-wide average case mix index for each Medicaid nursing facility shall be determined four times per year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 46:2742, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 28:1475 (June 2002), repromulgated LR 28:1792 (August 2002), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:826 (March 2012), LR 43:527 (March 2017), amended by the Department of Health Bureau of Health Services Financing, LR 51:1612 (October 2025).

### **§20013. Case-Mix Documentation Reviews and Case-Mix Index Reports [Formerly LAC 50:VII.1313]**

A. ...

1. If the department determines that a nursing facility provider has delinquent MDS resident assessments, for purposes of determining both average CMIs, such assessments shall be assigned the case-mix index associated with the PDPM group "BC1-delinquent" for all PDPM components. A delinquent MDS shall be assigned a CMI value equal to the lowest CMI in each PDPM component classification system.

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

c. If the percentage of unsupported MDS assessments in the total sample is greater than the threshold percentage as shown in column (B) of the table in Subparagraph e of this Paragraph, the impacted PDPM component(s) classification shall be recalculated for the unsupported MDS assessments based upon the available documentation obtained during the CMDR process. The nursing facility provider's CMI and resulting Medicaid rate shall be recalculated for the quarter in which the FCIR was used to determine the Medicaid rate. A follow-up CMDR process described in Subparagraphs d and e of this Paragraph may be utilized at the discretion of the department.

d. ...

e. After the follow-up CMDR, if the percentage of unsupported MDS assessments in the total sample is greater than the threshold percentage as shown in column (B) of the following table, impacted PDPM component(s) classification shall be recalculated for the unsupported MDS assessments based upon the available documentation obtained during the CMDR process. The nursing facility provider's CMI and resulting Medicaid rate shall be recalculated for the quarter in which the FCIR was used to determine the Medicaid rate. In addition, facilities found to have unsupported MDS resident assessments in excess of the threshold in column (B) of the table below may be required to enter into a documentation improvement plan with the department. Additional follow-up CMDR may be conducted at the discretion of the department.

\*\*\*

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 28:2537 (December 2002), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:826 (March 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 43:528 (March 2017), LR 45:274 (February 2019), LR 51:1613 (October 2025).

### **§20029. Supplemental Payments**

A. - A.3.a.iv ...

b. Calculating Medicaid Rates Using Medicare Payment Principles. The prospective payment system (PPS), Medicare rates will be calculated based on Medicaid acuity data. The following is a summary of the steps involved.

i. The applicable PDPM classification for Medicaid residents is identified using each resident's minimum data set assessment. A full listing of Medicaid residents with the applicable Medicare PDPM classification is then generated.

(a) ...

ii. Rural and urban rate differentials, wage index adjustments, and value-based purchasing adjustments will be used to adjust the Medicare rate tables for each component of PDPM after the Medicaid listing is developed. The non-therapy ancillary component of PDPM will be adjusted to exclude the estimated portion of payments related to pharmacy, laboratory, and radiology services based on a statewide percentage derived from Medicare cost report data to account for differences between what the Medicare PPS rate covers and what the Medicaid program reimburses. Medicare rate tables will be applicable to SFY periods.

(a) ...

(b). Medicare rates for each Medicaid resident in the listing are calculated using the relevant Medicare rate tables for each period of the SFY and then averaged by nursing facility. The nursing facility's average rates are then pro-rated based on the length of active time of each Medicare rate table during the SFY. The calculated rate will be multiplied by an estimate of Medicaid paid claims days for the specified period. Medicaid paid claims days will be compiled from the state's Medicaid Management Information System's (MMIS) most recent 12 months, as of the development of the Medicaid supplemental payment calculation demonstration.

c. Determining Medicaid Payments for Medicaid Nursing Facility Residents. The most current Medicaid nursing facility reimbursement rates as of the development of the Medicaid supplemental payment calculation demonstration will be utilized. These reimbursement rates will be multiplied by Medicaid paid claims compiled from the state's MMIS system from the most recent 12 months, as of the development of the Medicaid supplemental payment calculation demonstration, to establish total Medicaid per diem payments. Total calculated Medicaid payments made outside of the standard nursing facility per diem are summed with total Medicaid reimbursement from the per diem payments to establish total Medicaid payments. Payments made outside of the standard nursing facility per diem are reimbursement for the following services.

i. - iii. ...

d. Repealed.

e. Calculating the Differential between the Calculated Medicare Payments for Medicaid Nursing Facility Residents, and Medicaid Payments for those Same Residents. The total annual Medicaid supplemental payment will be equal to the individual NSGO nursing facility's differential between their calculated Medicare payments and the calculated Medicaid payments for the applicable SFY, as detailed in the sections above.

4. - 5. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 42:63 (January 2016), amended by the Department of Health, Bureau of Health Services Financing, LR 43:529 (March 2017), LR 47:476 (April 2021), LR 51:1613 (October 2025).

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

Bruce D. Greenstein  
Secretary

2510#053

## RULE

### Department of Health Health Standards Section

Direct Service Worker Registry  
(LAC 48:I.Chapter 92)

The Department of Health, Health Standards Section (the department), has amended LAC 48:I.Chapter 92 as authorized by R.S. 36:254 and R.S. 40:2179-2179.1. This Rule has been promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

#### Title 48

#### PUBLIC HEALTH—GENERAL

#### Part I. General Administration

#### Subpart 3. Licensing and Certification

#### Chapter 92. Direct Service Worker Registry

#### Subchapter A. General Provisions

#### §9201. Definitions

\* \* \*

*Direct Service Worker Registry*—the Louisiana adverse actions list maintained by the department, or its designee, of unlicensed persons who have a finding placed against them of abuse, neglect, misappropriation, exploitation, or extortion while employed or contracted as a direct service worker (DSW) at a licensed health care facility or entity, who is ineligible to be employed, contracted or continue to be employed or contracted as a DSW.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2179-2179.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 32:2058 (November 2006), amended LR 33:95 (January 2007), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:3175 (December 2012), LR 42:893 (June 2016), amended by the Department of Health, Bureau of Health Services Financing, amended LR 45:662 (May 2019), amended by the Department of Health, Health Standards Section, LR 51:1614 (October 2025).

#### §9202. Introduction

A. - B.5. ...

C. Licensed and/or certified healthcare providers shall access the DSW registry and the Office of Inspector General's (OIG) list of excluded individuals and entities (LEIE) prior to hire, and then monthly thereafter to determine if there is a finding that a prospective hire, or currently employed or contracted DSW, has been determined to have committed exploitation, extortion, abuse or neglect of an individual being supported, or misappropriated the individual's property or funds. If there is such a finding on the DSW registry and/or the OIG's LEIE, the prospective employee or contracted individual shall not be hired or contracted as a DSW nor shall a current employee or contracted individual continue to work as a DSW with the licensed and/or certified health care provider.

1. Access to the DSW registry and/or the OIG's LEIE shall be limited to an inquiry for a specific DSW.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2179-2179.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 32:2059 (November 2006), amended LR 33:95 (January 2007), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:3176 (December 2012), LR 42:894 (June 2016), amended by the Department of Health, Bureau of Health Services Financing, amended LR 45:663 (May 2019), amended by the Department of Health, Health Standards Section, LR 51:1614 (October 2025).

### **Subchapter C. Provider Participation**

#### **§9231. Health Care Provider Responsibilities**

A. - A.3. ...

B. The health care provider shall have a written policy/process to check the DSW registry and the OIG's LEIE prior to hire and then monthly thereafter, to determine if any currently employed or contracted DSW or trainee has been placed on the DSW registry and/or OIG's LEIE with a finding that he/she has been determined to have committed abuse or neglect of an individual being supported or misappropriated the individual's property or funds or committed exploitation or extortion of an individual being supported. If there is such a finding on the DSW registry and/or the OIG's LEIE, the prospective employee or contracted individual shall not be hired or contracted, nor shall a current or contracted DSW continue to work as a DSW.

B.1. - D.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2179-2179.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 32:2061 (November 2006), amended LR 33:97 (January 2007), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:3176 (December 2012), LR 42:894 (June 2016), amended by the Department of Health, Bureau of Health Services Financing, amended LR 45:663 (May 2019), amended by the Department of Health, Health Standards Section, LR 51:1615 (October 2025).

### **Subchapter E. Violations**

#### **§9277. Informal Dispute Resolution**

A. When a DSW feels that he/she has been wrongly accused, the following procedure shall be followed:

1. The DSW may request an informal dispute resolution (IDR) within 15 calendar days after the delivery or documented attempted delivery, of the department's notice of violation by U.S. Postal Service mail, FedEx, United Parcel Service, or other document delivery service approved by the department, addressed to the address reflected on the DSW registry, to the DSW's last known address if there is no address for the DSW in the registry, or to the DSW's electronic mail address. The request for an IDR shall be made to the HSS in writing.

2. - 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2179-2179.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 32:2061 (November 2006), amended LR 33:98 (January 2007), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:3180 (December 2012), LR 42:895 (June 2016), amended by the

Department of Health, Health Standards Section, LR 51:1615 (October 2025).

### **Subchapter F. Administrative Hearings**

#### **§9285. General Provisions**

A. The DSW may request an administrative hearing within 30 calendar days after delivery or documented attempted delivery, of the department's notice of violation or the notice of the results of an informal dispute resolution by U.S. Postal Service mail, FedEx, United Parcel Service, or other document delivery service approved by the department addressed to the DSW's mailing address as reflected on the DSW registry, to the DSW's last known address if there is no address for the DSW in the registry, or to the DSW's electronic mail address.

A.1. - E.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2179-2179.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 32:2062 (November 2006), amended LR 33:98 (January 2007), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:3180 (December 2012), LR 42:896 (June 2016), amended by the Department of Health, Bureau of Health Services Financing, amended LR 45:664 (May 2019), amended by the Department of Health, Health Standards Section, LR 51:1615 (October 2025).

Bruce D. Greenstein  
Secretary

2510#047

### **RULE**

#### **Department of Health Office of Public Health**

##### **Blood Lead Reference Value and Reporting (LAC 48:V.Chapter 70)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the Department of Health (LDH) has amended LAC 48:V.Chapter 70 to specify the blood lead reference value consistent with the Centers for Disease Control and Prevention (CDC) and to update the contact information for the Louisiana Childhood Lead Poisoning Prevention Program (LCLPPP). This Rule is hereby adopted on the day of promulgation.

#### **Title 48**

#### **PUBLIC HEALTH—GENERAL**

#### **Part V. Preventive Health Services**

#### **Chapter 70. Lead Poisoning Prevention Program**

#### **§7001. Relationship of Local and State Poisoning Prevention Programs**

A. The local lead prevention program shall collaborate with the state Childhood Lead Poisoning Prevention Program at the Office of Public Health and adhere to current Centers for Disease Control and Prevention guidelines.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5; 40:1285.1; 40:1285.2; and 40:1285.3.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85, (January 2000); amended LR 27:52 (January 2001), amended by the Department of Health, Office of Public Health, amended LR 51:1615 (October 2025).



**§7003. Definitions**

*A Case of Lead Poisoning* (in children between the ages of six months to 72 months of age)—

- 1. a venous blood-lead level greater than or equal to 3.5 µg/dl (micrograms per deciliter);
- 2. - 3. ...

*Clinical Laboratory*—a facility for the biological, microbiological, serological, chemical, immunohematological, hematological, biophysical, cytological, pathological, or other examination of substances derived from the human body for the purpose of providing information for the diagnosis, prevention, or treatment of any disease, or in the assessment or impairment of the health of human being.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5; 40:1285.1; 40:1285.2; and 40:1285.3.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85, (January 2000); amended LR 27:52 (January 2001), amended by the Department of Health, Office of Public Health, amended LR 51:1616 (October 2025)..

**§7005. Mandatory Blood Lead Screening of Children in High Risk Geographical Areas**

A. - B.2. ...

3. blood lead levels >3.5µg/dl obtained from finger stick samples will be confirmed using a venous blood sample.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5, 40:1285.1; 40:1285.2; 40:1285.3; and 40:1285.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85 (January 2000), amended LR 27:52 (January 2001), LR 31:1588 (July 2005), LR 34:2173 (October 2008), amended by the Department of Health, Office of Public Health, amended LR 51:1616 (October 2025).

**§7007. Mandatory Case Reporting by Health Care Providers**

A. Medical providers must report a lead case, which is indicated by a blood lead test result of >3.5µg/dl (micrograms per deciliter), to the Childhood Lead Poisoning Prevention Program, Office of Public Health within 24 working hours to ensure appropriate and timely follow-up. All health care providers shall assure that all the following information is submitted to the testing laboratory with all ordered blood lead samples for analysis and/or submitted with all lead case reports to the Lead Poisoning Prevention Program:

A.1. - 14. ...

B. Lead cases, along with the specified information shall be reported within 24 business hours by fax to the Lead Poisoning Prevention Program, Office of Public Health at 225-242-0496 and the original lead case reporting form shall be mailed within five business days to the Louisiana Childhood Lead Poisoning Prevention Program Office at 1450 Poydras St. Suite 1631, New Orleans, LA 70112.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5,40:1285.1; 40:1285.2; 40:1285.3; and 40:1285.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85 (January 2000), amended LR 27:52 (January 2001), LR 31:1588 (July 2005), LR 34:2174 (October 2008), amended by the Department of Health, Office of Public Health, amended LR 51:1616 (October 2025).

**§7009. Reporting Requirements of Blood Lead Levels by Laboratories and by Health Care Providers Performing Office-Based Blood Lead Analyses for Public Health Surveillance**

A. Health care providers who conduct blood lead level screenings using a Clinical Laboratory Improvement Amendments (CLIA) waived blood lead analysis device to determine blood lead levels and clinical laboratories responsible for conducting analysis to determine blood lead levels for health care providers and/or for referring laboratories, shall also report all results to the Louisiana Childhood Lead Poisoning Prevention Program by electronic transmission in a format consistent with the Center for Disease Control and Prevention (CDC) guidelines for uniform reporting of blood lead results to state and local health departments as available at <https://ldh.la.gov/page/electronic-laboratory-reporting-elr-in-louisiana>.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and under the authority of R.S. 40:5,40:1285.1; 40:1285.2; 40:1285.3; and 40:1285.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 26:85 (January 2000), amended LR 27:53 (January 2001), LR 31:1588 (July 2005), LR 34:2174 (October 2008), amended by the Department of Health, Office of Public Health, amended LR 51:1616 (October 2025).

Bruce D. Greenstein  
Secretary  
and  
Ralph L. Abraham, M.D.  
Surgeon General

2510#060

**RULE**

**Department of Health  
Office of Public Health**

**Reportable Diseases and Conditions (LAC 51:II.105)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the Department of Health (LDH) has amended LAC 51:II.105 to reflect the current contact information for the Louisiana Childhood Lead Poisoning Prevention Program (LCLPPP). This Rule is hereby adopted on the day of promulgation.

**Title 51**

**PUBLIC HEALTH—SANITARY CODE**

**Part II. The Control of Diseases**

**Chapter 1. Disease Reporting Requirements**

**§105. Reportable Diseases and Conditions  
[formerly paragraph 2:003]**

A. - E.3. ...

4. <sup>4</sup>Report to the Louisiana Genetic Diseases Program, [www.genetics.dhh.louisiana.gov](http://www.genetics.dhh.louisiana.gov), or facsimile [(504) 568-8253 (fax)], or call (504) 568-8254 or (800) 242-3112.

5. <sup>5</sup>Report to the Section of Environmental Epidemiology and Toxicology, <http://www.ldh.la.gov/seet> or call (504) 568-8156, toll free at (888) 293-7020, or by fax at 225-242-0496.

E.6. ...

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4(A)(2) and R.S. 40:5(2)(10)(11).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:1212 (June 2002), amended LR 32:1050 (June 2006), LR 34:2173 (October 2008), repromulgated LR 34:2582 (December 2008), LR 36:1014 (May 2010), repromulgated LR 36:1253 (June 2010), amended LR 39:1053 (April 2013), LR 41:2653 (December 2015), amended by the Department of Health, Office of Public Health, amended LR 45:667 (May 2019), LR 47:51 (January 2021), LR 51:1616 (October 2025).

Bruce D. Greenstein  
Secretary  
and  
Ralph L. Abraham, M.D.  
Surgeon General

2510#059

## RULE

### Louisiana Works Office of Workers' Compensation Administration

Hearing Rules—Authority (LAC 40:I.6601)

Louisiana Works does hereby amend certain portions of the *Louisiana Administrative Code*, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 3, Hearing Rules. Updating the hearing rules is necessary to ensure alignment with current law and administrative practice, reflecting any legislative changes and judicial interpretations that impact the adjudication process. This Rule is promulgated by the authority vested in the Assistant Secretary of the Office of Workers' Compensation found in R.S. 23:1291 and R.S. 23:1310.1(C). This Rule is hereby adopted on the day of promulgation.

#### Title 40

#### LABOR AND EMPLOYMENT

#### Part I. Workers' Compensation Administration

#### Subpart 3. Hearing Rules

#### Chapter 66. Fees and Costs

#### Subchapter A. General

#### §6601. Other Applicable Rules

A. These rules are intended to supplement the existing codes. In the absence of a hearing rule or a provision of the Workers' Compensation Act, the procedures established in the Louisiana Code of Civil Procedure, the Louisiana Revised Statutes, or other applicable Louisiana legislation shall govern workers' compensation proceedings. A conflict between a Rule and Workers' Compensation legislation should be resolved by following the legislation. No provisions restating existing law have been included in these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:281 (February 1999), amended LR 25:1871 (October 1999), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1617 (October 2025).

Susana Schowen  
Secretary

2510#063

## RULE

### Louisiana Works Office of Workers' Compensation Administration

Hearing Rules  
(LAC 40:I.5500-6745)

Louisiana Works does hereby amend certain portions of the *Louisiana Administrative Code*, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 3, Hearing Rules. Updating the hearing rules was necessary to ensure alignment with current law and administrative practice, reflecting any legislative changes and judicial interpretations that impact the adjudication process. Revisions also clarify procedural requirements, such as filing standards, evidentiary expectations, and deadlines, to reduce confusion and promote fairness for all parties. By streamlining these processes, the updates improve the efficiency and timeliness of hearings, reducing delays and supporting quicker case resolutions. Additionally, incorporating technological advancements—such as virtual hearings—modernize the system to reflect current capabilities. Finally, standardizing rules across all district offices promotes consistency and uniformity in practice, ensuring equitable treatment regardless of venue. This Rule is promulgated by the authority vested in the assistant secretary of the Office of Workers' Compensation Administration found in R.S. 23:1291 and R.S. 23:1310.1(C). This Rule is hereby adopted on the day of promulgation.

#### Title 40

#### LABOR AND EMPLOYMENT

#### Part I. Workers' Compensation Administration

#### Subpart 3. Hearing Rules

#### Chapter 55. General Provisions

#### Subchapter A. Purpose; Definitions

#### §5500. Construction of Rules and Purpose

A. The purpose of these rules and appendices is to govern the practice and procedures before the Workers' Compensation Court which is a statewide court having jurisdiction of claims for workers' compensation benefits, the controversion of entitlement to benefits and other relief under the Workers' Compensation Act. These rules are designed to facilitate the equitable, expeditious and simple resolution of workers' compensation disputed claims filed with the court.

B. If any provision or item of a Section, or the application thereof, is held to be invalid, such invalidity shall not affect other provisions, items, or applications of the section which can be given effect without the invalid provision, item or application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1(C).

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1617 (October 2025).

#### §5501. Definitions

A. As used in these rules, unless otherwise indicated the following words shall have the following meanings.

*Assistant Secretary*—synonymous with Director

*Bound*—shall refer to binding by ringed binder, or other means. Bound shall not include staples, spiral binding, or binding with rubber band.

*Claimant*—shall refer to the injured employee.

*Court*—the Office of Workers' Compensation court within the Office of Workers' Compensation Administration of Louisiana Works.

*Director*—the appointing authority of the Office of Workers' Compensation Administration of Louisiana Works.

*E-mail*—electronic mail.

*Judge*—a workers' compensation judge.

*Judicial District*—as referred to in R.S. 1310.4, any of the 10 locations of a workers' compensation district office, i.e. Shreveport, Monroe, Alexandria, Lake Charles, Lafayette, Baton Rouge, Covington, New Orleans, Harahan, Houma, and the parishes each encompass.

*Mediator*—a workers' compensation mediator.

*Office*—the Office of Workers' Compensation Administration of Louisiana Works.

*Petitioner*—shall, as the context requires, mean the employer, the insurance carrier, the group self-insurance fund, the health care provider, claimant, or a dependent of a claimant.

*Virtual*—a court proceeding that takes place through a video conferencing system or platform.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:264 (February 1999), amended LR 25:1859 (October 1999), LR 33:652 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1626 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1617 (October 2025).

## **Subchapter B. Commencement**

### **§5503. Jurisdiction Authority**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:265 (February 1999), amended LR 25:1859 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1618 (October 2025).

### **§5505. Jurisdiction over Subject Matter and Persons**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:265 (February 1999), amended LR 25:1860 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1618 (October 2025).

### **§5507. Commencement of a Claim**

A. ...

B. Any claim may be initiated by filing the Form LW-WC-1008 in accordance with R.S. 23:1310.3 by hand delivery, United States mail, commercial courier, facsimile transmission, designated electronic filing system or by any manner provided by law addressed to the district office of proper venue or the assistant secretary's office at the Office of Worker's Compensation Administration.

C. Any party aggrieved by the R.S. 23:1203.1(J) determination of the medical director may seek judicial review by filing a Form LW-WC-1008 in a workers' compensation district office within 45 days of the date said determination is mailed to the parties. A party filing an appeal

under this Section must simultaneously notify the other party and the medical director that an appeal of the medical director's decision has been filed. Upon receipt of the appeal, the workers' compensation judge shall immediately set the matter for an expedited hearing to be held not less than 15 days nor more than 30 days after the receipt of the appeal by the office. The workers' compensation judge shall provide notice of the hearing date to the parties at the same time and in the same manner. A Form LW-WC-1008 appealing the medical director's decision shall not cumulate any other causes or actions that any of the parties may have.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1(C).

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:265 (February 1999) amended LR 25:1860 (October 1999), LR 33:652 (April 2007), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 37:1626 (June 2011), LR 41:560 (March 2015), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1618 (October 2025).

### **§5508. Preliminary Determinations**

A. Any request for a preliminary determination pursuant to R.S. 23:1201.1 shall be made in the answer or amended answer and shall include:

1. a copy of the LW-WC-1002 and notice of disagreement; and
2. a motion and order to set telephone status conference.

B. Upon receipt of a preliminary determination, the court shall:

1. Set a telephone conference within 15 days from receipt of the preliminary determination to schedule a preliminary determination hearing. Schedule the preliminary determination to be heard within 90 days from the telephone status conference. The deadline for any discovery shall be 30 days before the preliminary determination hearing. The parties must exchange evidence 15 days before the hearing and send copies of the exhibits, exhibit list and memorandum to the presiding workers' compensation judge.

2. The workers' compensation judge shall advise all parties of the deadlines set forth hereinabove in the telephone status conference.

3. The court shall forward a scheduling conference order to the parties within three days of the telephone status conference. The order shall include a list of issues to be determined, the date of the scheduled hearing, the deadline for discovery, the deadline for the exchange of exhibits, the deadline for the submission of exhibits and the deadline for the submission of memoranda to the court.

4. After the preliminary determination hearing, the court shall forward a written preliminary determination to the parties within 30 days of the hearing.

5. The court will issue notice of the judge's written preliminary determination. The notice shall advise the parties of their options to accept or reject the finding and that if the court does not receive written notification within 15 days of further action by the parties, the court will close the file or proceed to trial on the merits on all remaining issues.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1(C).

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1618 (October 2025).

### **§5509. Delay for Answering**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:265 (February 1999), amended LR 25:1860 (October 1999), LR 33:652 (April 2007), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1619 (October 2025).

### **§5511. Service**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:265 (February 1999), amended LR 25:1860 (October 1999), LR 33:652 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation, LR 37:1626 (June 2011), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1619 (October 2025).

### **§5515. Proper Venue**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:265 (February 1999), amended LR 25:1860 (October 1999), LR 33:652 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation, LR 37:1626 (June 2011), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 41:2692 (December 2015), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1619 (October 2025).

### **Subchapter C. Recusal**

#### **§5525. Procedure for Recusal of a Workers' Compensation Judge**

A. Recusal of a workers' compensation judge shall be governed by Code of Civil Procedure Article 151.

B. A workers' compensation judge may recuse himself, prior to a judgment being rendered, whether a motion for his recusal has been filed by a party or not, in any cause in which a ground for recusal exists.

C. If a judge recuses himself pursuant to this Section, he shall provide in writing to the Chief Judge the specific grounds under Code of Civil Procedure Article 151 for which the recusal is ordered within 15 days of the rendering of the order of recusal.

D. On written application of a workers' compensation judge, the chief judge shall immediately reassign the matter to another workers' compensation judge in either the same workers' compensation district office or another workers' compensation district office.

E. Any party to a workers' compensation claim may file a written motion for recusal of the judge to whom the matter is assigned specifying the grounds for recusal. This motion shall be filed prior to trial or hearing unless the party discovers the facts constituting the ground for recusal thereafter. In such case, the motion shall be filed immediately after the facts are discovered, but in no case after judgment. If a valid ground for recusal is set forth in the motion, the judge shall either recuse himself or refer the matter to the chief judge. Upon receipt of the motion the chief judge shall either try the motion or assign it to another workers' compensation judge for trial.

Trial of the motion shall be held in an expedited manner and in no event later than 14 days following filing of the motion.

F. If a valid ground for recusal is not set forth in the motion, the judge shall deny the motion and proceed with the trial of the cause. Any party aggrieved by any denial may file an appeal in accordance with the provisions of R.S. 23:1310.5.

G. Consolidated cases are to be considered as one case within the meaning of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:1860 (October 1999), amended LR 33:652 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation, LR 37:1626 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1619 (October 2025).

### **Subchapter D. Power and Authority**

#### **§5533. General**

A. - D.3....

E. Each court shall have available a list of attorneys, who have indicated a willingness to handle workers' compensation matters. Any interested attorney may be added to the list by written request to the clerk of each of the workers' compensation district courts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:266 (February 1999), amended LR 25:1860 (October 1999), LR 33:653 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1627 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1619 (October 2025).

#### **§5534. Submission and Investigation of Complaints Alleging Judicial Misconduct or Disability**

A. Complaints alleging misconduct or disability on the part of any workers' compensation judge shall be submitted to the assistant secretary in writing, and shall include:

1. - 4. ...

5. if the alleged misconduct or disability concerns a specific matter pending before the judge, the complainant shall list all parties thereto and/or their counsel of record, and shall certify that a copy of the complaint has been provided to them via facsimile, other electronic transmission, commercial courier, or by certified mail.

B. Upon receipt of the complaint, the assistant secretary or his designee shall commence a preliminary review. Complaints which solely criticize a judge's official decision making or claim judicial error subject to appellate review, or which fail to comply with Subsection A of this Section, shall be screened out as frivolous, and notification of rejection shall be sent to the complainant and all persons identified per Paragraph A.5 of this Section.

C. The assistant secretary or his designee shall investigate all non-frivolous complaints as deemed reasonable and necessary. Pursuant to the investigation, a copy of the complaint shall be provided to the judge who is subject thereof, who shall provide a written answer to the assistant secretary within 10 days of receiving the complaint, setting forth a response to the allegations and including any appropriate commentary or explanation.

D. Within 60 days of receipt of the original complaint by the office, the assistant secretary shall determine any disciplinary action to be taken. A copy of the decision shall be provided contemporaneously to the judge who is the subject of the complaint.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1(C) and R.S. 23:1291.

HISTORICAL NOTE: Promulgated by the Workforce Commission, Office of Workers' Compensation Administration, LR 41:2691 (December 2015), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1619 (October 2025).

**§5535. Contempt**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:266 (February 1999), amended LR 25:1861 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1620 (October 2025).

**§5537. Procedure to Report Contempt Finding**

A. Form for Judges to Report Contempt Findings

<b>WORKERS' COMPENSATION CONTEMPT FINDINGS FORM</b>	
<small><b>Note:</b> Form due to Assistant Secretary within 30 days of ruling per La. R.S. 23:1310.7</small>	
<b>SECTION I: DOCKET CASE INFORMATION (print please)</b>	
1. Plaintiff Party Name	1a. Attorney (if any)
2. Defendant Party Name	2a. Attorney (if any)
3. Judge's Name	4. Date of Event/Hearing
5. District #	6. City
<b>SECTION II: FACTS</b>	
1. Name of Party in Contempt	
2. Parties to the claim and their relationship (ex: John Brown, claimant) :	
3. Code of Civil Procedure Violation (check all that apply):	
<input type="checkbox"/> Article 222- Direct Contempt # of violations _____ Total amount of civil fines assessed \$ _____ Summarize actions used to discourage behavior: _____ _____ _____	
<input type="checkbox"/> Article 224- Constructive Contempt # of violations _____ Total amount of civil fines assessed \$ _____ Summarize actions used to discourage behavior: _____ _____ _____	
4. Attach written reasons issued with ruling	
Signature of Judge _____	Date _____
Signature of Chief Judge _____	Date _____
Signature of Assistant Secretary _____	Date _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:266 (February 1999), amended LR 25:1861 (October 1999), LR 33:653 (April 2007), amended, LR 48:2995 (December 2022), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1620 (October 2025).

**Subchapter E. Clerks**

**§5539. District Clerk; Pleadings Filed; Docket Books**

A. - B. .

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:266 (February 1999), amended LR 25:1861 (October 1999), LR 33:653 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1627 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1620 (October 2025).

## **Subchapter F. Bailiffs**

### **§5541. Security**

A. The term "bailiff" shall refer to any peace officer, duly commissioned reserve officer, or any qualified security personnel assigned by the assistant secretary to maintain order at each workers' compensation court.

B. - C. ...

D. No person shall be admitted to or allowed to remain in the premises with any object that might be employed as a weapon unless he or she has been authorized in writing by the workers' compensation judge to do so, or unless allowed by law.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:266 (February 1999), amended LR 25:1861 (October 1999), LR 33:653 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1627 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1621 (October 2025).

## **Subchapter G. Attorneys and Other Persons before the Court**

### **§5543. Workers' Compensation Courtroom Decorum and the Conduct of Attorneys and Judges**

A. The following shall be observed in the opening of workers' compensation court and general courtroom decorum.

1. The bailiff shall open each session of workers' compensation court with an appropriate recitation and order, as directed by the judge.

B. General Courtroom Conduct

1. No person may engage in any conduct that would be disruptive to the business of the court, including but not limited to the following:

a. No tobacco or vaping in any form will be permitted at any time.

b. No food or beverage shall be brought into the courtroom, unless permitted by the court.

c. Displaying any political advertisement of any nature while in the courthouse.

d. No firearms, knives, or other weapons shall be brought into the courtroom, unless permitted by the judge or by law.

C. As officers of the workers' compensation court, attorneys are reminded of their obligations to assist in maintaining the dignity of the court. All attorneys and other officers of the court shall dress in appropriate professional attire in the virtual or physical courtroom.

D. Hats, shorts, bare midriffs or bare feet in the virtual or physical courtroom are prohibited. Witnesses, parties, and spectators shall appear in appropriate attire as determined by the judge.

E. Attorney Conduct

1. Any attorney who tenders himself or herself before the court and represents that he or she is duly authorized to practice law, but who has been declared ineligible, suspended, or disbarred from practice before the courts of this State, may be subject to contempt proceedings upon motion of the court or any party.

2. No one may represent a party or witness in any proceeding except counsel of record, unless allowed to do so by law.

3. As a general rule and at the discretion of the court, attorneys desiring to address the court while it is in session shall do so while standing. Unless directed otherwise by the judge, all judgments, orders, decrees, or other documents shall be handed to the bailiff, who shall hand them to the judge.

4. Private conversation or conference between attorneys or others in attendance during any court session should not be disruptive to the proceedings.

5. Attorneys shall address all remarks, objections, and comments to the judge, never to opposing counsel. Impromptu argument or discussion between counsels will not be permitted.

6. Except with leave of court obtained, only one attorney for each party shall examine any one witness.

7. Counsel may not approach the witness in the witness chair without first obtaining the court's permission.

8. Before showing an exhibit to a witness, counsel shall first either show opposing counsel the exhibit or provide opposing counsel with a copy of the exhibit.

9. Unless agreed upon by all parties, counsel and parties shall not copy the court on correspondence between them.

10. Attorneys shall abide by the Rules of Professional Conduct and should abide by the Louisiana Code of Professionalism.

F. Code of Professionalism in the Courts

1. Attorneys and judges should conform to the Code of Professionalism.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:267 (February 1999), amended LR 25:1861 (October 1999), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1621 (October 2025).

### **§5545. Attorneys**

A. In all hearings before the Workers' Compensation Judge, certain parties may appear in person or by counsel licensed to practice law in the state of Louisiana. Corporate entities, unincorporated associations, insurance companies and own-risk carrier shall appear only by such counsel. Counsel who will appear before the Workers' Compensation Judge on behalf of a party in any proceeding shall notify the Office of Workers' Compensation of their appearance by filing an entry of appearance or other appropriate pleading and shall be bound by Code of Civil Procedure Article 371.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:267 (February 1999), amended LR 25:1861 (October 1999), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1621 (October 2025).

### **§5547. Withdrawal of Counsel**

A. Enrolled attorneys have, apart from their own interests, continuing legal and ethical duties to their clients, all adverse parties, and the court. Accordingly, the following requirements govern any motion to withdraw as counsel of record:

1. The withdrawing attorney who does not have written consent from the client shall make a good faith attempt to notify the client in writing of the withdrawal and of the status

of the case on the court's docket. The attorney shall deliver or mail this notice to the client before filing any motion to withdraw.

2. If the action or proceeding has been assigned to a particular judge, then the motion to withdraw shall be submitted to the judge presiding over that case.

3. If the attorney has been terminated by the client, has only made a limited appearance as authorized by Rule 1.2(c) of the Rules of Professional Conduct which appearance has been completed, or the case has been concluded, he shall state the same in his motion to withdraw.

4. Any motion to withdraw shall include the following information:

a. The motion shall state current or last-known street address and mailing address of the withdrawing attorney's client. The withdrawing attorney shall also furnish this information to the clerk of court.

b. If a scheduling order is in effect, a copy of it shall be attached to the motion.

c. The motion shall state whether any conference, hearing, or trial is scheduled and, if so, its date.

d. The motion shall include a certificate that the withdrawing attorney has complied with paragraph (A)(1) of this section and with Rule 1.16 of the Rules of Professional Conduct, Louisiana State Bar Association, Articles of Incorporation, Art. 16. A copy of the 12 written communications required by paragraph (a) shall be attached to the motion.

e. If the motion is to withdraw upon completion of a limited appearance, the motion shall include a certification by the withdrawing attorney that the agreed upon limited services have been completed and that the withdrawing attorney has submitted all judgments or orders resulting from the limited appearance as ordered by the court. A copy of the relevant Notice of Limited Appearance shall be attached to the motion.

5. If counsel's withdrawal would delay a scheduled hearing or trial, the court shall not allow the withdrawal unless exceptional circumstances exist, the client terminated the attorney, or limited representation was undertaken pursuant to a Notice of Limited Appearance and completed.

B. Counsel of record who withdraws or is discharged prior to submission of the case, and desires to assert a claim for fees, must attach an affidavit to that effect and set forth the period of time during which his client was under his or her representation. If asserting a claim, counsel shall also file the lien form, LW-WC-1027, identifying any attorney lien he alleges on the pending claim for payment of attorney fees.

C. Counsel who has represented a person prior to litigation may put the Office of Workers' Compensation on notice that they desire to assert an interest in a claim. The attorney choosing to assert an interest in a claim shall do so by filing form LW-WC-1027 Lien Form and an affidavit asserting the nature of the interest in the proper venue. A copy of the notice shall be provided to all other parties of interest.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:267 (February 1999), amended LR 25:1862 (October 1999), LR 33:653 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1621 (October 2025).

## **Chapter 57. Actions**

### **Subchapter A. General Provisions**

#### **§5701. Prescription; Filing Procedure**

A. Prescription periods shall be as set forth in R.S. 23:1031.1.E, F, I, 1209, and 1234. Time limits shall be calculated from the date of mailing as shown by the post mark, other proof of mailing, or the date a facsimile is received.

B. All pleadings filed with the court may be filed by facsimile transmission to the assigned facsimile number of the district of proper venue. A facsimile transmission, when filed, has the same force and effect as the original. If the party fails to comply with the requirements of Paragraph C of this Section, a facsimile filing shall have no force or effect.

1. Filings are not accepted by e-mail.

C. Follow-up to facsimile

1. Within seven days, exclusive of legal holidays, after the district office or the records management division has received a facsimile transmission, the party filing the document shall deliver the following to the district office or records manager:

a. the original signed document;

b. the applicable filing fee, if any per LAC 40:I.6605, Fees, of this Part; and

c. a transmission fee of \$10 for the first 5 pages and \$2.50 for each page thereafter.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:267 (February 1999), amended LR 25:1862 (October 1999), LR 33:654 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1627 (June 2011), LR 46:798 (June 2020), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1622 (October 2025).

#### **§5703. Prematurity**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:267 (February 1999), amended LR 25:1862 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1622 (October 2025).

#### **§5705. Abandonment**

A. - A.3. ...

4. where a party fails to appear for any properly noticed conference or hearing;

A.5. - D....

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:268 (February 1999), amended LR 25:1862 (October 1999), LR 33:654 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1627 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1622 (October 2025).

### **Subchapter B. Settlement**

#### **§5709. Joint Petition Settlements**

A. Perfecting Settlements

1. A lump sum or compromise settlement shall be presented to the presiding judge in a pending disputed claim or to any judge in an undisputed claim for approval on Form LW-WC-1011 and upon joint petition of the parties.

2. The procedure for perfecting settlements shall be governed by R.S. 23:1272. A hearing in open court with all parties present shall be required when one or more parties is not represented by counsel. Appearance by the parties and/or their representative may be waived if all parties are represented by counsel. In special circumstances and in the interest of judicial economy, the judge may allow the unrepresented party to waive his appearance and permit the party to appear by telephone. Appearance by the represented parties and/or their representative may be waived in written form.

B. ...

C. Upon request of both parties or upon the order of the Court, the Court shall allow the participation of any party in any settlement hearing and proceeding to be conducted via virtual conference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:268 (February 1999), amended LR 25:1863 (October 1999), LR 33:654 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1628 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1622 (October 2025).

#### **§5710. Pro Se Settlement Hearings by Virtual Means**

A. A hearing on any Pro Se Settlement may be conducted by any virtual means assigned by the court when requested by the parties.

B. The parties may request a Pro Se Settlement Hearing via virtual means if all parties consent to conducting the Pro Se Settlement Hearing via virtual means, or for good cause shown.

C. Jurisdiction for hearing.

1. For cases that are docketed and pending in a workers' compensation court at the time a party requests a Pro Se Settlement Hearing by virtual means, the request for hearing shall be filed in the court in which the case is pending; however, upon agreement of the parties and the presiding judge, the matter may be heard in any workers' compensation court.

2. For undocketed settlements, the hearing shall be scheduled in a court agreed upon by the parties. If the parties are unable to agree on the court in which an undocketed settlement will be heard, the hearing shall be scheduled in any court in which venue would be appropriate.

D. To request a virtual Pro Se Settlement Hearing, the party shall contact the district office in which the hearing is to be scheduled. Contact may be made by phone, facsimile, or email transmission to the district office in which the hearing is to be scheduled. Upon scheduling the virtual hearing, the court will notify the parties of the date and time of the hearing. A virtual hearing is not considered to be on the docket until the parties have received a confirmation from the court that the matter is scheduled.

E. Any pleadings and exhibits that will be introduced at a virtual hearing must be received by the court at least one full business day prior to the hearing. Failure to abide by this section may result in the proceeding being continued.

F. Prior to the scheduled Pro Se Settlement Hearing, the parties shall make sure they are able to use the virtual means used by the court. Each participant shall have a device with a microphone, camera, and internet access.

G. The parties attending the Pro Se Settlement Hearing shall ensure that at the time of the hearing they are in a location that is free from distractions, excessive noise, or echoes.

H. Should any participant in a virtual hearing have any difficulty with audibility or technology during a remote proceeding, the participant shall call the court in which the case is pending to advise of the same. All Notices of Hearing shall include the phone number for the court in which a virtual hearing is scheduled.

I. Any recording of a court proceeding held by video or teleconference, including "screen-shots" or other visual copying of a hearing, is strictly prohibited. Workers' compensation proceedings are confidential, and the participants in a virtual hearing shall ensure that they are in a location that provides appropriate privacy and security to avoid any violations of confidentiality. Violation of these prohibitions may result in sanctions, denial of entry to future hearings, or any other sanctions deemed necessary by the court.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1623 (October 2025).

### **Chapter 58. Pleadings**

#### **Subchapter B. Forms**

##### **§5805. Amendment of Claim and Answer**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:268 (February 1999), amended LR 25:1863 (October 1999), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1628 (June 2011), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1623 (October 2025).

##### **§5809. Forms**

A. The Office of Workers' Compensation Administration shall prepare and adopt such forms for use in matters before the Office of Workers' Compensation Administration as it may deem necessary or advisable. Whenever Office of Workers' Compensation Administration forms are prescribed and are applicable, they shall be used. A photo ready copy of any form may be procured upon request to any district office, the office of the assistant secretary, or from the official website, [www.laworks.net](http://www.laworks.net).

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:269 (February 1999), amended LR 25:1863 (October 1999), LR 33:654 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1628 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1623 (October 2025).

##### **§5811. Format of Documents**

A. Any pleading or other document submitted to the assistant secretary or to any judge shall be typed or printed



legibly on 8 ½ inch x 11 inch paper, bound, and shall bear the name and signature of the person who prepared it, the firm name, if applicable, the complete address including the zip code, an electronic address, the telephone and facsimile number, including the area code and the docket number, if one has been assigned to the claim and the name of the judge assigned to the claim, if available. All attorneys shall note their bar roll number on all pleadings filed with the court.

B. Copies of all correspondence and any other instruments sent to the Office of Workers' Compensation Administration shall be sent on the same business day and in the same manner by electronic transmission, commercial carrier/courier, or by hand by the party originating the correspondence to all other parties of record in the case and a certificate to that effect shall be attached to the original and filed with the office.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:269 (February 1999), amended LR 25:1863 (October 1999), LR 33:654 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1623 (October 2025).

### **Subchapter C. Mediation**

#### **§5813. Mediation Conference**

A. - B. ...

C. On the scheduled date of the mediation conference, each party shall provide a representative to participate in the mediation conference, either in person or telephonically, or virtually, who has been provided with authority to enter into negotiations in a good faith effort to resolve the issue(s) in dispute. The attorneys for the parties may participate in the mediation conference via telephone only upon mutual consent of the parties. No stenographic report shall be taken at any mediation conference and no witnesses shall be called. All statements made at any mediation conference shall be privileged and shall not be admissible in any subsequent status conference, pretrial conference, hearing, or trial. Any party to the claim and/or their representative may request a copy of the Form LW-WC-1008 filed in the claim prior to the scheduled mediation conference. No such request shall be denied by any employee of the Office of Workers' Compensation Administration. If the parties agree, the mediator may schedule additional mediation conferences when deemed appropriate.

D. Nothing in this rule shall prohibit parties from requesting the services of an Office of Workers' Compensation mediator prior to the filing of a disputed claim for compensation (Form LW-WC-1008). Said request shall be made by the parties in the same manner as provided for in Subsection A of this Section. However, neither the request nor the participation in a pre-litigation mediation conference shall interrupt the running of prescription.

E. Should the parties engage in a private mediation, within five days of the conclusion of said private mediation, the parties shall certify to the court that a private mediation has occurred and the results thereof. Said certification shall be provided by the parties via United States mail, electronic transmission, or facsimile transmission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:1863 (October 1999), amended LR 33:654 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1628 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1624 (October 2025).

#### **§5817. Conclusion of Mediation Conferences Held by an Office of Workers' Compensation Mediator**

A. When it becomes apparent during the course of a pre-litigation mediation conference that an agreement on all issues cannot be reached, the Office of Workers' Compensation mediator shall issue a report stating the result of the conference. The report shall be issued to the parties immediately following the conference by facsimile transmission, by electronic transmission or by mail within five days thereof.

B. When it becomes apparent during the course of a post-litigation mediation conference that agreement on all issues cannot be reached, the Office of Workers' Compensation mediator shall issue a report stating the results of the conference. The report shall be issued immediately following the conference to the parties and to the judge where the claim was filed. The report shall be issued in person, by facsimile transmission, by electronic transmission, or by mail within five days thereof.

C. Following a mediation conference, at which agreement is reached on all issues in dispute, a report embodying the agreement shall be issued to the parties in person, by facsimile transmission, by electronic transmission, or by mail within five days thereof. The mediator shall file the original report with the judge presiding over the district where the claim was filed or in the case of a pre-litigation mediation conference, with the judge presiding over the district situated within the parish of the claimant's domicile. The report may require dismissal of the claim or the filing of an LW Form 1011 within 30 days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:269 (February 1999), amended LR 25:1864 (October 1999), LR 33:655 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1629 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1624 (October 2025).

### **Subchapter D. Exceptions**

#### **§5821. Required Elements**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:270 (February 1999), amended LR 25:1865 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1624 (October 2025).

#### **§5823. Kinds of Exceptions; Time for Pleading**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:270 (February 1999), amended LR 25:1865 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1624 (October 2025).

**§5824. Rule to Show Cause; Time for Filing Memoranda**

A. Any party may seek to have any exception or motion heard by filing a rule to show cause.

B. The memorandum in support shall be filed at the time of filing of the rule to show cause.

1. A party who opposes an exception or motion shall concurrently furnish the trial judge and serve on all other parties an opposition memorandum so it is received at least eight calendar days before the scheduled hearing, except for motions for summary judgment, which delays are established by La. Code Civ. Proc. art. 966.

2. The mover or exceptor may furnish the trial judge a reply memorandum, but only if the reply memorandum is furnished to the trial judge and served on all other parties so that it is received before 4 p.m. on a day that allows one full working day before the hearing, except for motions for summary judgment, which delays are established by La. Code Civ. Proc. art. 966. For example, if the hearing is set for Friday, the reply memorandum shall be received no later than 4 p.m. the preceding Wednesday. If the hearing is set for Monday, the reply memorandum shall be received no later than 4 p.m. the preceding Thursday.

3. Parties who fail to comply with paragraphs B and B.1 of this Section shall forfeit the privilege of oral argument and may forfeit the presentation of additional evidence or testimony. If a party fails to timely serve a memorandum, thus necessitating a post-hearing supplemental memorandum or continuance to give the opposing side a fair chance to respond the court may order the late-filing party to pay the opposing side's costs incurred on account of the untimeliness.

C. Motion to Strike an untimely Memorandum in Support of or a Memorandum in Opposition, shall be heard prior to the hearing without the necessity of a Rule to Show Cause.

D. Paragraph B does not apply to the following motions:

1. A motion for an extension of time to perform an act.
2. A motion to continue a pre-trial conference, hearing, motion, mediation, or trial of an action.
3. A motion to add or substitute parties.
4. A motion to amend pleadings or to file supplemental pleadings unless the timing for filing amending or supplemental pleadings is beyond the deadline for filing same.
5. A motion to withdraw or substitute counsel of record.
6. A motion to consolidate.
7. Any unopposed motion or joint motion.
8. A motion for the court to give in writing its findings of fact and reasons for judgment under La. Code Civ. Proc. art. 1917.
9. A motion to compel a response to discovery when no response has been made.
10. Any motions allowed to be granted ex parte under La. Code Civ. Proc. art. 963.
11. Any motion listed in 1 through 10 shall state the grounds in support, cite any applicable rule, statute, or other authority justifying the relief sought, and comply with LAC 40:I.5824 to the extent applicable

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 33:656

(April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1625 (October 2025).

**Subchapter E. Motions**

**§5831. Motion or Rule Day**

A. Each judge shall designate a specific day of the week for the hearing of rules, motions, exceptions and arguments. A list of the rule days for each district shall be available in any district office.

B. In advance of the date set for the hearing of an exception, motion or rule, any counsel may notify the court that he waives his appearance and is willing to submit the matter on briefs. At the time set for the hearing, any person may waive oral argument.

C. A motion for summary judgment shall be filed no later than 65 days prior to trial unless both parties agree to waive the deadline with the approval of the court. Motions for summary judgment shall be governed by Louisiana Code of Civil Procedure articles 966, 967 and 968.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:270 (February 1999), amended LR 25:1865 (October 1999), LR 33:656 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1625 (October 2025).

**§5833. Written Motion Required; Exception**

A. An application to the court for an order, if not presented in some other pleading, shall be by motion which, unless made during trial or hearing or in open court, shall be in writing. All Motions and Exceptions shall contain corresponding memoranda except as stated in LAC 40:I.5824.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:270 (February 1999), amended LR 25:1865 (October 1999), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1625 (October 2025).

**§5835. Ex Parte and Contradictory Motions; Rule to Show Cause Favored**

A. A contradictory hearing properly noticed by the court with the adverse party may be held unless waived upon joint motion of the parties. Appearance by the parties and/or their representative may be waived in written form. The judge may entertain such motion by telephone or virtual conference with all parties participating. Such conference shall be initiated by the party requesting the conference.

B. Contradictory Exceptions and Motions.

1. All exceptions and motions, including those incorporated into an answer, shall be accompanied by a proposed order requesting that the exception or motion be set for hearing. If the exceptor or mover fails to comply with this requirement, the court on its own motion, may set the matter for a hearing on the merits of the exception or motion or upon motion of a party may strike the exception or motion after contradictory hearing properly noticed by the court. To assist the court in scheduling the hearing, the exception or motion, and any opposition thereto, shall state:

- a. whether or not the case is set for trial and, if so, the trial date; and
- b. whether testimony will be offered at the hearing.

C. Time between filing and hearing for motions for summary judgment is governed by La. Code Civ. Proc. art. 966.

D. Time between filing and hearing.

1. Unless good cause is shown, hearings on an exception or motion shall be set not less than fifteen calendar days after filing.

E. Ex parte motions.

1. Paragraphs B and C do not apply to:

- a. unopposed motions;
- b. motions in which all affected parties have joined;

or

c. motions permitted by law or by these Rules to be decided ex parte.

2. Any motion that may be decided ex-parte shall be accompanied by a proposed order, except a motion for the court to give in writing its findings of fact and reasons for judgment under La. Code Civ. Proc. art. 1917.

F. Motions and Exceptions Referred to the Merits.

1. If a party filing a motion or exception wishes to refer it to the merits, the party shall file an unopposed motion, accompanied by a proposed order, asking that it be referred to the merits. This does not apply to motions for summary judgment. If the court finds that the interests of justice would be served by referring the motion or exception to the merits, the court may do so.

G. Unopposed motion.

1. An "unopposed motion" is one to which all affected parties have consented. Before representing to the court that the motion is unopposed, the mover shall contact all parties affected by the motion and obtain their consent. The moving party shall certify in the motion that the consent requirement has been met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:270 (February 1999), amended LR 25:1865 (October 1999), LR 33:656 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1625 (October 2025).

## **Chapter 59. Production of Evidence**

### **Subchapter A. General**

#### **§5905. Protective Orders**

A. Upon motion by a party or by a person from whom discovery is sought, and for good cause shown after contradictory hearing properly noticed by the court, the judge may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense. The judge may entertain such motion by telephone or virtual conference with all necessary parties participating. Such conference shall be initiated by the party requesting the conference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:272 (February 1999), amended LR 25:1865 (October 1999), LR 33:656 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1626 (October 2025).

### **Subchapter B. Subpoena**

#### **§5909. Issuance; Service**

A. Subpoenas issued in connection with any workers' compensation matter shall be served by the party requesting issuance of the subpoena, and may be served by certified mail return receipt requested or any other manner provided in LAC 40:I.5511 or by ex parte motion to appoint a process server.

Proof of service shall be the responsibility of the party requesting the subpoena. Once issued and served, a subpoena may be canceled by the requesting party only after written notice to the opposing side. It shall be the responsibility of the requesting party to provide written notification of cancellation to all opposing parties as well as the person under subpoena. It shall be the responsibility of the parties to copy each other on the subpoenas they issue.

#### **B. - C. ...**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:272 (February 1999), amended LR 25:1866 (October 1999), LR 33:656 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1626 (October 2025).

### **§5911. Exceptions**

#### **A. - B. ...**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:272 (February 1999), amended LR 25:1866 (October 1999), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1626 (October 2025).

### **§5913. Subpoena of Confidential Records**

#### **Repealed.**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:272 (February 1999), amended LR 25:1866 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1626 (October 2025).

### **Subchapter C. Depositions**

#### **§5915. Scope of Discovery**

#### **Repealed.**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:272 (February 1999), amended LR 25:1866 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1626 (October 2025).

#### **§5921. General; When Taken**

#### **Repealed.**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:273 (February 1999), amended LR 25:1866 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1626 (October 2025).

### **Subchapter D. Production of Documents**

#### **§5927. Expert Witness Fee**

#### **Repealed.**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 33:657 (April 2007), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1626 (October 2025).

#### **§5931. General**

#### **Repealed.**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:274 (February 1999), amended LR 25:1866 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1626 (October 2025).

**§5933. Production of Documents; General; Medical Evidence**

A. In general, the production of documents shall be governed by Code of Civil Procedure Articles 1461, et seq. and R.S. 23:1127.

B. Objection to medical evidence shall be as provided in R.S. 23:1122. When a timely objection is received, the judge may set a hearing on the motion, or rule on the matter at the trial on the merits. The judge further has the discretion to order, after a contradictory hearing properly noticed by the court, a deposition of the doctor if necessary to clarify a report or to obtain additional information, during the discovery period or at the trial on the merits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:274 (February 1999), amended LR 25:1866 (October 1999), LR 33:657 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1627 (October 2025).

**Subchapter E. Motion to Compel**

**§5941. Requests for Admission**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:275 (February 1999), amended LR 25:1867 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1627 (October 2025).

**§5943. Independent Medical Examinations; Report; Deposition of Examiner; Objections**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:275 (February 1999), amended LR 25:1867 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1627 (October 2025).

**§5953. Right of an Employee to Written Report of Medical Examination**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:1867 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1627 (October 2025).

**Subchapter E. Motion to Compel**

**§5955. Motion for Order Compelling Discovery**

A. Before filing any motion to compel discovery, the moving party or attorney shall confer in person or by telephone with the opposing party or counsel for the purpose of amicably resolving the discovery dispute. The moving party or attorney shall attempt to arrange a suitable conference date with the opposing party or counsel and confirm the date by written notice sent at least five days before the conference

date, unless an earlier date is agreed upon or good cause exists for a shorter time period. If by telephone, the conference shall be initiated by the person seeking the discovery responses.

B. No counsel for a party shall file, nor shall any clerk set for hearing, any motion to compel discovery unless accompanied by a signed and dated "Certificate of Conference".

1. If a discovery conference is held the Certificate of Conference shall state: The parties or counsel personally conducted a conference on [insert date]. At this conference, there was a substantive discussion of every item presented to the court in this motion and, despite their best efforts, the parties or counsel were unable to resolve the matters presented.

2. If a discovery conference is not held the Certificate of Conference shall state: The moving party or counsel has personally attempted to contact the respondent or counsel to arrange a conference to resolve the matters presented in this motion as follows: [Insert dates, times, methods of contact, and results here.] Respondent or counsel has failed to respond or failed to confer in good faith in an attempt to resolve the matters presented.

C. If the court finds that the parties or counsel have failed to confer in good faith, or have willfully failed to confer, the court may impose, at its discretion, sanctions on the non-conferring party, including attorney fees and costs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:275 (February 1999), amended LR 25:1867 (October 1999), LR 33:657 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1627 (October 2025).

**Subchapter F. Sanctions**

**§5963. Failure to Comply with Order Compelling Discovery**

A. Failure to comply with an order compelling discovery can result in dismissal without prejudice. In addition, the judge may proceed with contempt proceedings as provided in R.S. 23:1310.7.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:276 (February 1999), amended LR 25:1867 (October 1999), LR 33:657 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1627 (October 2025).

**Chapter 60. Pretrial Procedure**

**§6001. Scheduling Conferences**

A. After 120 days following receipt of responsive pleadings, a scheduling conference for the purpose of setting pretrial deadlines shall be held by telephone.

1. The parties may move jointly for a status conference for the purpose of setting an earlier scheduling conference.

B. - B.7. ...

C. At the conclusion of the scheduling conference and no longer than 14 days following the conference, a scheduling order, developed by the assistant secretary, shall be issued by the judge setting forth the actions taken and deadlines set at the conference. Such order shall control the subsequent course of the claim, unless modified to prevent manifest injustice upon motion of a party or by order of the court.

D. ...

E. If the parties agree, discovery may be conducted after the date set in the scheduling order for the completion of discovery and the parties shall notify the court.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:1867 (October 1999), amended LR 33:657 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1629 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1627 (October 2025).

#### **§6005. Pretrial Conference**

A. A pretrial statement shall be filed with the appropriate district office within the time frame designated in the scheduling order.

B. ...

C. The pretrial conference shall be jointly requested by the parties or may be ordered by the court. The pretrial conference may be held by telephone or virtually, unless in the judge's discretion, attendance in person at the conference is necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:277 (February 1999), amended LR 25:1868 (October 1999), LR 33:657 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1629 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1628 (October 2025).

#### **§6007. Pretrial Order**

A. - A.6. ...

B. Amendments to the pretrial statement submitted after the scheduling deadline for pretrial statements shall only be by written motion and permitted only for good cause shown. No new issues shall be raised that have not been raised in the Disputed Claim for Compensation or in an Answer except by written order of the judge for good cause or upon mutual agreement of the parties.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:277 (February 1999), amended LR 25:1868 (October 1999), LR 33:657 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1628 (October 2025).

### **Chapter 61. Hearings**

#### **Subchapter A. Hearings**

##### **§6101. Examination of an Injured Employee**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:1868 (October 1999), amended LR 33:658 (April 2007), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1628 (October 2025).

##### **§6102. Judicial matters by remote technology**

A. Virtual hearings or conferences may be conducted in workers' compensation courts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1628 (October 2025).

#### **Subchapter B. Continuance and Stays**

##### **§6103. General**

A. Motions to continue shall be governed by R. S. 23:1310.5.1.

B. An opposed continuance shall not be granted for the absence of a subpoenaed witness if the subpoena was not issued in accordance with LAC 40:I.5909 of these rules.

C. ...

D. Joint requests for continuance of a pre-litigation or post-litigation mediation conference held by an Office of Workers' Compensation mediator shall be submitted to the selected mediator in writing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:277 (February 1999), amended LR 25:1868 (October 1999), LR 33:658 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1630 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1628 (October 2025).

##### **§6104. Stays**

A. Uncontested motions to stay shall be governed by R.S. 23:1310.5.2. Upon contested motion of a party and for good cause shown after a contradictory hearing, the workers' compensation judge may order a stay of certain proceedings or the claim.

B. ...

C. LAC 40:I.5705 of these rules shall not apply to any matter subject to a stay order as long as such order is in effect.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1630 (June 2011), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1628 (October 2025).

### **Chapter 62. Trial**

#### **Subchapter A. Trial Procedure**

##### **§6203. Trial on the Merits**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:1869 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1628 (October 2025).

##### **§6205. Cumulative Medical Testimony**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:278 (February 1999), amended LR 25:1869 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1628 (October 2025).

#### **Subchapter B. Dismissal**

##### **§6211. Dismissal**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:278 (February 1999), amended LR 25:1869 (October 1999), LR 33:658 (April 2007), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1628 (October 2025).

### **Subchapter C. Assessment of Costs**

#### **§6215. Assessment of Costs**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:279 (February 1999), amended LR 25:1869 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1629 (October 2025).

### **Chapter 63. Judgments**

#### **Subchapter A. General**

##### **§6301. Submission of Evidence; Submission for Judgement/Decision; Post Hearing Briefs**

A. -B. ...

C. Post-trial/hearing briefs

1. Whenever, the judge allows or orders post-trial/hearing briefs, the parties shall be allowed 15 working days from the conclusion of the trial or final submission of all evidence, whichever occurs latest, to file the briefs.

2. The judge may set a longer period than 15 working days on his or her order and if agreed to by all parties.

D. The brief must be received in the district office either through the United States Postal Service, or facsimile transmission (with verified signature) within the delays provided and without benefit of the use of the postmark to meet the deadline.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:279 (February 1999), amended LR 25:1869 (October 1999), LR 33:658 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1629 (October 2025).

##### **§6305. Default; General Provisions; Scope of Judgment**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:279 (February 1999), amended LR 25:1870 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1629 (October 2025).

#### **Subchapter B. Modification**

##### **§6311. General**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:279 (February 1999), amended LR 25:1870 (October 1999), LR 33:659 (April 2007), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1629 (October 2025).

##### **§6313. Amendment of Judgment**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:279 (February 1999), amended LR 25:1870

(October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1629 (October 2025).

##### **§6315. Request for Modification**

A. If the original decision or award was made by a district court judge, the party seeking the modification shall furnish the workers' compensation judge with the appropriate evidence and documents from the district proceedings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:279 (February 1999), amended LR 25:1870 (October 1999), LR 33:659 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1629 (October 2025).

##### **§6317. Exception**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:279 (February 1999), amended LR 25:1870 (October 1999), LR 33:659 (April 2007), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1629 (October 2025).

### **Chapter 64. Appellate Procedure**

#### **Subchapter A. General**

##### **§6401. General**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:279 (February 1999), amended LR 25:1870 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1629 (October 2025).

##### **§6405. Payment of Appellate Costs**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:279 (February 1999), amended LR 25:1870 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1629 (October 2025).

### **Chapter 65. Special Disputes**

#### **Subchapter A. Attorney Fees**

##### **§6503. Attorney Fees; Application, Review and Approval**

A. Whenever the judge renders an award of penalties or attorney fees due to the conduct of the other party under any provision authorized by the Workers' Compensation Act, the judgment shall state the specific acts or omissions of the party which gave rise to the award of a penalty or attorney fee and the basis for the amount of the award.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:281 (February 1999), amended LR 25:1870 (October 1999), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1629 (October 2025).

#### **Subchapter C. Financial and Compliance Hearings**

##### **§6509. Financial and Compliance Hearings**

A. ...

B. If a resolution is not reached, pursuant to R.S. 23:1171.1, a hearing shall be held within 15 days of the

conclusion of the initial mediation conference, and shall be conducted in accordance with the provisions of the Administrative Procedure Act.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:281 (February 1999), amended LR 25:1871 (October 1999), LR 33:659 (April 2007), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 37:1630 (June 2011); amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1629 (October 2025).

## **Chapter 66. Fees and Costs**

### **Subchapter A. General**

#### **§6603. Local Rules Prohibited**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:281 (February 1999), amended LR 25:1871 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1630 (October 2025).

#### **§6605. Fees**

A. The clerks for the Office of Workers' Compensation Administration shall be entitled to demand and receive the following fees as court costs in a workers' compensation dispute. Fees not pre-paid shall be due upon dismissal of or final judgment in the docket number, or on demand by the clerk:

1. - 5. ...

6. filing by facsimile—\$10 for the first 5 pages and \$2.50 for each page thereafter;

7. cost of preparation of record for appeal—available upon request from the district office;

8. cost of service by certified mail—the actual postage price on the United States Postal Service's website on the date on which service is requested for the item and attachments being served for the total of the following:

- a. fees for a Certified Mail letter, and
- b. fees for Return Receipt Service;

9. -10.b. ...

11. Service by Commercial Courier. If requesting service by commercial courier, the party requesting service by commercial courier shall provide to the court an envelope used by the commercial courier with the requestor's account number on it or a prepaid envelope which is properly addressed to the person or entity on whom service is being sought.

B. The Office of Workers' Compensation Administration shall be entitled to demand and receive the following fees which shall be pre-paid in full before any records are produced, unless otherwise ordered by a workers' compensation judge or otherwise provided by law:

1. - 2. ...

3. if a requestor is indigent and seeks to have the fee waived, the requestor shall fully execute an in forma pauperis request on the LW Request for Waiver of Advance Costs Form, and file the form with the Office of Workers' Compensation court in which the case is pending and/or is filed. If the form is deemed proper and the relief sought appropriate, a workers' compensation judge shall execute the

pauper order, and the records request will be produced without pre-payment. If the request is denied by a workers' compensation judge, all costs shall be pre-paid in full before any records are produced.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:281 (February 1999), amended LR 25:1871 (October 1999), amended by the Louisiana Workforce Commission, Office of Workers' Compensation, LR 37:1630 (June 2011), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 42:763 (May 2016), LR 44:102 (January 2018), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1630 (October 2025).

#### **§6607. Posting of Docket**

A. The clerk of the district office shall post a daily docket upon which shall be entered all matters set for mediation, hearing, or trial.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:282 (February 1999), amended LR 25:1871 (October 1999), LR 33:659 (April 2007), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1630 (October 2025).

### **Subchapter C. Waiver of Costs for Indigent Party**

#### **§6613. General**

A. Waiver of costs for indigent party shall be governed by *Code of Civil Procedure*, articles 5181 et seq. An indigent party's request for waiver of costs shall be made on a LW Request for Waiver of Payment of Advance Costs form.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:282 (February 1999), amended LR 25:1872 (October 1999), LR 33:660 (April 2007), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 44:103 (January 2018), amended by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1630 (October 2025).

### **Subchapter D. Severability of Sections**

#### **§6627. General**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Labor, Office of Workers' Compensation Administration, LR 25:283 (February 1999), amended LR 25:1872 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1630 (October 2025).

### **Subchapter E. Forms**

#### **§6629. Annual Report of Workers' Compensation Costs; Form LDOL-WC-1000**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:283 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1630 (October 2025).

#### **§6631. Notice of Payment, Modification, Suspension, Termination or Controversion of Compensation or Medical Benefits**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:286 (February 1999), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 40:387 (February 2014), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1630 (October 2025).

**§6633. Stop Payment Form; Form LDOL-WC-1003**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:287 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6635. Request for Social Security Benefits Information; Form LDOL-WC-1004**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:290 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6637. Motion for Recognition of Right to Social Security Offset; Form LDOL-WC-1005A**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:293 (February 1999), amended LR 25:1872 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6639. Order Recognizing Right to Social Security Offset; Form LDOL-WC-1005B**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:293 (February 1999), amended LR 25:1872 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6641. Subpoena for Deposition and Subpoena Deuces Tecum; Form LDOL-WC-1006A**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:294 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6643. Subpoena Deuces Tecum for Inspection; Form LDOL-WC-1006B**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:294 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6645. Subpoena and Subpoena Deuces Tecum; Form LDOL-WC-1006C**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:294 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6647. Employer's Report of Injury/Illness; Form LWC-WC-IA-1**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Louisiana Workforce Commission, Office of Workers' Compensation, LR 38:3252 (December 2012), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6649. Disputed Claim for Compensation; Form LDOL-WC-1008**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:297 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6651. Request for Compromise and Lump Sum Settlement; Form LDOL-WC-1011**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:299 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6653. Request for Independent Medical Examination; Form LDOL-WC-1015**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:301 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6655. Employer's Report of Occupational Injury and Illness Quarterly Summary; Form LDOL-WC-1017A**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:302 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6657. Employee's Monthly Report of Earnings; Form LDOL-WC-1020**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:304 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6659. Employee and Employer Certificate of Compliance; Form LDOL-WC-1025**

Repealed.



AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:305 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1631 (October 2025).

**§6661. Employee's Quarterly Report of Earnings; Form LDOL-WC-1026**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:307 (February 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1632 (October 2025).

**§6662. Attorney Fee Notice of Lien; Form LDOL-WC-1027**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:1873 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1632 (October 2025).

**§6663. Scheduling Order; Form LDOL-WC-1028**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 25:1873 (October 1999), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1632 (October 2025).

**§6664. Choice of Physician; Form LDOL-WC-1121**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 30:2067 (September 2004), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1632 (October 2025).

**§6665. Workers' Compensation Records Request Form; LWC-WC-1150**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1 and R.S. 23:1293.

HISTORICAL NOTE: Promulgated by the Workforce Commission, Office of Workers' Compensation Administration, LR 44:103 (January 2018), repromulgated LR 44:798 (April 2018), amended LR 50:832 (June 2024), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1632 (October 2025).

**§6667. Employee Authorization for OWCA to Release Confidential Workers' Compensation Records; LWC-WC-1151**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1 and R.S. 23:1293.

HISTORICAL NOTE: Promulgated by the Workforce Commission, Office of Workers' Compensation Administration, LR 44:105 (January 2018), amended LR 50:832 (June 2024), repealed by Louisiana Works, Office of Workers' Compensation Administration LR 51:1632 (October 2025).

**Chapter 67. Forms**

**§6701. Annual Report of Workers' Compensation Costs; Form LW-WC-1000**

**ANNUAL REPORT OF WORKERS' COMPENSATION COSTS**  
FOR CALENDAR YEAR \_\_\_\_\_

<b>1. EMPLOYER INFORMATION</b> Account # _____ Name: _____ Address: _____ City, St., Zip: _____ Contact Person: _____ Phone #: _____		<b>2. INSURANCE COMPANY INFORMATION</b> Account # _____ Name: _____ Address: _____ City, St., Zip: _____ Contact Person: _____ Phone #: _____	
Fed EIN: _____		Phone Number: _____ (    )	
3. Coverage Provided: <input type="checkbox"/> Self-insured / Excess Insurance <input type="checkbox"/> Conventional Workers' Compensation Policy <input type="checkbox"/> Combination of Insurance Policies [R.S. 23:1168(A)(2)]			
4. COSTS INCURRED DURING THE CALENDAR YEAR (See Instructions)			
		Paid by Employer	Paid by Insurance
<b>A. Indemnity Benefits:</b>			
	1. Temporary Total		
	2. Supplemental Earnings		
	3. Permanent Partial		
	4. Permanent Total		
	5. Death Benefits		
	6. Other Compensation		
	<b>TOTAL INDEMNITY BENEFITS</b>		
<b>B. TOTAL COMPROMISE/LUMP SUM SETTLEMENTS:</b>			
<b>C. Medical Expenses:</b>			
	1. Hospital		
	2. Physicians		
	3. Diagnostic Tests/Procedures		
	4. Prescription Drugs		
	5. Transportation		
	6. Independent Medical Exams		
	7. Physical/Occupational Therapy		
	8. Other		
	<b>TOTAL MEDICAL EXPENSES</b>		
<b>D. Rehabilitation Expenses</b>			
	1. Vocational Rehabilitation		
	2. Labor Market Surveys		
	3. Evaluations		
	4. Other		
	<b>TOTAL REHABILITATION EXPENSES</b>		

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COMPLETE BOTH PAGES

		Paid by Employer	Paid by Insurance
E. TOTAL FUNERAL EXPENSES			
F. Legal Expenses			
	1. Attorney Fees		
	2. Court Costs		
	3. Deposition Costs		
	4. Investigation Costs		
	5. Penalties and Interest		
	6. Administrative/Other Costs		
	TOTAL LEGAL EXPENSES		
G. Cost Summary			
	1. Total Indemnity Benefits (ITEM A)		
	2. Total Compromise/Lump Sum Settlements (ITEM B)		
	3. Total Medical Expenses (ITEM C)		
	4. Total Rehabilitation Costs (ITEM D)		
	5. Total Funeral Expenses (ITEM E)		
	6. 3rd Party Recoveries for Costs (not included above)		
	7. Total Assessable Costs (1 + 2 + 3 + 4 + 5 - 6)		
	8. Total Legal Expenses (ITEM F)		
	9. TOTAL WORKERS' COMPENSATION COSTS		
H. Number of Claims Summary			
	1. Carried over from prior year		
	2. Opened during current year		
	3. Closed during current year		
	4. Open at year end (1 + 2 - 3)		
	5. Total Medical only claims		
I. OPEN RESERVE CLAIMS (at year end)		Number	
		Amount	
NOTE: The amount of compensation benefits paid will be used by the Assistant Secretary to make assessments for the administration of the Workers' Compensation Office under the provisions of Act 29, 1983, R.S. 23:1291.1 All other information submitted will be used for statistical records only with the names of employers and carriers being confidential and privileged. (La. R.S. 23:1293)			
FOR OFFICIAL USE ONLY		I certify that the information contained herein is true and correct to the best of my knowledge and belief.	
		Signature _____	Date _____

**RETURN TO:**  
ATTN: AUDIT & COMPLIANCE  
OFFICE OF WORKERS' COMPENSATION  
P.O. BOX 94040  
BATON ROUGE, LA 70804-9040  
(225) 342-7571 (PHONE) (225) 219-5968 (FAX)

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COMPLETE BOTH PAGES

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291.1 & R.S. 23:1293

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1632 (October 2025).

**§6703. Notice of Payment, Modification, Suspension, Termination or Controversion of Compensation or Medical Benefits; Form LW-WC-1002**

**EMPLOYER/PAYOR MAIL TO:**

OFFICE OF WORKERS' COMPENSATION  
POST OFFICE BOX 94040  
BATON ROUGE, LA 70804-9040

- 1. Employee Social Security No. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_
- 2. Payor Claim No.: \_\_\_\_\_
- 3. Date of Injury/Illness \_\_\_\_\_
- 4. Date of Notice: \_\_\_\_\_

**NOTICE OF PAYMENT, MODIFICATION, SUSPENSION, TERMINATION OR CONTROVERSION  
OF COMPENSATION OR MEDICAL BENEFITS**

5. Purpose of Form (check one):

Initial Payment \_\_\_\_\_ Modification \_\_\_\_\_ Suspension \_\_\_\_\_ Termination \_\_\_\_\_ Controversion \_\_\_\_\_

- 6. (a) Employee Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_
- (b) Employee Representative Name (if known) \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Facsimile: \_\_\_\_\_
- (c) Employer Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Facsimile: \_\_\_\_\_

7. Effective Date of Initial Payment, Modification, Suspension, Termination or Controversion: \_\_\_\_\_ / \_\_\_\_\_ / 20 \_\_\_\_\_

8. Description of Injury/Occupational Disease: \_\_\_\_\_  
\_\_\_\_\_

9. Average Weekly Wage: \$ \_\_\_\_\_

10. **Payment/Modification** (check one): Initial Payment \_\_\_\_\_ Modification \_\_\_\_\_

Indemnity Benefits are to be paid as follows:

- A. Permanent Total Disability (PTD) \_\_\_\_\_ Temporary Total Disability (TTD) \_\_\_\_\_ (check one) benefits at the rate of \$ \_\_\_\_\_ per week;
- B. Supplemental Earnings Benefits (SEB) paid at the rate of \$ \_\_\_\_\_ per \_\_\_\_\_ based on a wage earning capacity of \$ \_\_\_\_\_; **OR**  
SEB paid at the rate of \$ \_\_\_\_\_ per \_\_\_\_\_ dependent on wages as reflected in LWC-WC-1020's to be submitted by employee each month;
- C. Reduced PTD \_\_\_\_\_ TTD \_\_\_\_\_ SEB \_\_\_\_\_ (check one) at the rate of \$ \_\_\_\_\_ due to employee's receipt of (check applicable item):  
  - \_\_\_\_\_ Social Security Benefits at the rate of \$ \_\_\_\_\_ per \_\_\_\_\_;
  - \_\_\_\_\_ Other Workers' Compensation Benefits at the rate of \$ \_\_\_\_\_ per \_\_\_\_\_;
  - \_\_\_\_\_ Employer Funded Disability Benefits at the rate of \$ \_\_\_\_\_ per \_\_\_\_\_;
  - \_\_\_\_\_ Unemployment Insurance Benefits
  - \_\_\_\_\_ Third Party Recovery in the amount of \$ \_\_\_\_\_
  - \_\_\_\_\_ 50% reduction of compensation based on Employee's refusal to cooperate with Vocational Rehabilitation
  - \_\_\_\_\_ Reduction due to child support order
  - \_\_\_\_\_ Other (Describe): \_\_\_\_\_

- D. Permanent Partial Disability (PPD) Benefits of \$ \_\_\_\_\_ per week payable for \_\_\_\_\_ weeks.  
 E. Death Benefits have begun in the amount of \$ \_\_\_\_\_ per week, representing \_\_\_\_\_% of AWW.

Employee Name \_\_\_\_\_

Date of injury/illness \_\_\_\_\_

11. **Suspension/Termination**

Indemnity and/or Medical Benefits have been suspended/terminated due to:

- \_\_\_\_\_ Employee's refusal to submit to a medical examination;
- \_\_\_\_\_ Employee's refusal to execute a Choice of Physician form;
- \_\_\_\_\_ Fraud
- \_\_\_\_\_ Dispute over Compensability (Describe): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- \_\_\_\_\_ Employee's refusal to return the form LWC-WC-1025 or LWC-WC-1020;
- \_\_\_\_\_ Released to return to work full duty;
- \_\_\_\_\_ Employee able to earn 90% of pre-accident average weekly wage; or
- \_\_\_\_\_ Other (Describe): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

12. **Controversion**

Employee's rights to Indemnity and/or Medical Benefits are disputed and have been denied because Employer/Payor disputes:

- \_\_\_\_\_ Compensable Work Accident;
- \_\_\_\_\_ Compensable Injury;
- \_\_\_\_\_ Employment Relationship;
- \_\_\_\_\_ Causation;
- \_\_\_\_\_ Disability;
- \_\_\_\_\_ Fraud;
- \_\_\_\_\_ Jurisdiction; or
- \_\_\_\_\_ Other (Describe): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

13. Notice Submitted By:

Signature of Preparer: \_\_\_\_\_  
 Printed name: \_\_\_\_\_  
 Position/Affiliation: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Facsimile: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

14. Please provide the following information:

Payor/Self Insured Employer Name: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Facsimile: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

**NOTICE OF DISAGREEMENT**  
(to be completed by Employee/Employee Representative)

**MAIL TO:**

The preparer for Employer/Payor at the address listed in Section 13 of the LWC-WC-1002.

Employee Social Security No.: \_\_\_\_\_ - \_\_\_\_ - \_\_\_\_\_

Payor Claim No. (if known): \_\_\_\_\_

Date of Injury/Illness: \_\_\_\_\_

Date of Notice of Disagreement: \_\_\_\_\_

**BASIS OF DISAGREEMENT**

1. Average Weekly Wage is incorrect. The correct AWW amount is \$ \_\_\_\_\_.
2. The type of workers' compensation indemnity benefits is incorrect. The correct type is PTD/TTD/SEB/PPD (circle one).
3. The amount/rate of workers' compensation indemnity benefits is incorrect. The correct amount is \$ \_\_\_\_\_ per \_\_\_\_\_.
4. The basis for Employer/Payor's suspension/termination/controversion of benefits is incorrect because (describe):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Other (describe): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Notice Submitted By:

Employee Name: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Employee Representative  
La. Bar Roll No. \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
Facsimile: \_\_\_\_\_

Signature \_\_\_\_\_  
Printed name: \_\_\_\_\_

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1201.1

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1634 (October 2025).

**§6705. Stop Payment Form; Form LW-WC-1003**

MAIL TO:  
 ATTN: RECORDS MANAGEMENT  
 OFFICE OF WORKERS' COMPENSATION  
 POST OFFICE BOX 94040  
 BATON ROUGE, LA 70804-9094  
 (225) 342-7565, TOLL FREE (800) 201-3457

\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_  
 SOCIAL SECURITY NUMBER

\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_  
 DATE OF INJURY/ILLNESS

**STOP PAYMENT FORM**

Per La. R.S. 23:1201(H), this form is sent by the Employer/Insurer to the injured workers and the OWCA within 14 days of the closure of a case. An **AMENDED COPY** is required if the case re-opens or additional costs are incurred.

1. \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
 (Employee) (Date of Birth)
2. \_\_\_\_\_  
 Date of this Notice
3. \_\_\_\_\_  
 Part(s) of Body Injured
4. \_\_\_\_\_  
 Date Compensation Paid Through
5. Purpose of Form: (check only one)
  - Payment stopped-Employee working at equal or greater wages
  - Payment stopped-Employee able to work at same or greater wages
  - Payment stopped-Lump sum/Compromise settlement approved
  - Other \_\_\_\_\_
  - Payment stopped-Maximum period for paying SEB has expired
  - Payment stopped-3rd Party recovery without notice
  - Amend or correct prior 1003
6. Length of Disability \_\_\_\_\_ weeks \_\_\_\_\_ days.
7. Give ICD-9/ICD-10 Diagnostic code(s) \_\_\_\_\_
8. Give CPT Procedure code(s) \_\_\_\_\_

9. COSTS INCURRED FOR THIS CASE:

- |   |   |
|---|---|
| <p>A. Indemnity Benefits</p> <ol style="list-style-type: none"> <li>1. Temporary total _____</li> <li>2. Supplemental earnings _____</li> <li>3. Permanent partial _____</li> <li>4. Permanent total _____</li> <li>5. Death Benefits _____</li> <li>6. Other Benefits _____</li> </ol> <p>TOTAL INDEMNITY BENEFITS<br/>       (Add A. Items 1-6) \$ _____</p> <p>B. TOTAL SETTLEMENT AMOUNT \$ _____</p> <p>C. Medical Expenses</p> <ol style="list-style-type: none"> <li>1. Hospital _____</li> <li>2. Physician _____</li> <li>3. Diagnostic Tests/Procedures _____</li> <li>4. Prescription Drugs _____</li> <li>5. Transportation Costs _____</li> <li>6. Independent Medical Exams _____</li> <li>7. Occupational/Physical Therapy _____</li> <li>8. Other _____</li> </ol> <p>TOTAL MEDICAL EXPENSES<br/>       (Add C. Items 1-8) \$ _____</p> | <p>D. Rehabilitation Expenses</p> <ol style="list-style-type: none"> <li>1. Medical Rehabilitation _____</li> <li>2. Vocational Rehabilitation _____</li> <li>3. Labor Market Survey _____</li> <li>4. Evaluation _____</li> <li>5. Other _____</li> </ol> <p>TOTAL REHABILITATION EXPENSES<br/>       (Add D. Items 1-5) \$ _____</p> <p>E. TOTAL FUNERAL EXPENSES \$ _____</p> <p>F. Legal Expenses</p> <ol style="list-style-type: none"> <li>1. Attorney Fees _____</li> <li>2. Court Costs _____</li> <li>3. Deposition Costs _____</li> <li>4. Investigative Costs _____</li> <li>5. Penalties and Interest _____</li> <li>6. Administrative/Other Costs _____</li> </ol> <p>TOTAL LEGAL EXPENSES<br/>       (Add F. Items 1-6) \$ _____</p> <p>G. 3<sup>RD</sup> PARTY RECOVERY FOR COSTS<br/>       (Not Included Above) \$ _____</p> <p>H. TOTAL WORKERS' COMPENSATION<br/>       COSTS (Add A-G) \$ _____</p> <p>I. BALANCE OF UNUSED RESERVES \$ _____</p> |
|---|---|

Submitted by:

Preparer's Name: \_\_\_\_\_  
 Employer/Insurer: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Phone: ( ) \_\_\_\_\_  
 Employer/Insurer NCCI Number: \_\_\_\_\_

Employee Name: \_\_\_\_\_  
 Employer: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Phone: ( ) \_\_\_\_\_

LWC-WC-1003

REV. 06/25

**§6707. Request for Social Security Benefits Information; Form LW-WC-1004**

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 23:1201(H)

**HISTORICAL NOTE:** Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1637 (October 2025).

**REQUEST FOR SOCIAL SECURITY BENEFITS INFORMATION**  
(L.R.S. 23:1225)

DATE \_\_\_\_\_

NAME \_\_\_\_\_

SSN \_\_\_\_\_

Please provide information concerning the referenced worker.

\_\_\_\_\_  
Workers' Compensation Judge

Type of Social Security Benefit:     Disability     Retirement     Other     None

Current Social Security Benefit Paid to Employee ..... \$ \_\_\_\_\_

Number of Auxillaries/Dependants on Record ..... # \_\_\_\_\_

Age of Youngest Auxillary/Dependant ..... \_\_\_\_\_

**PART I - CALCULATION OF INITIAL OFFSET**

Date of Entitlement \_\_\_\_\_

1. Original 80% Average Current Earnings (ACE) on Record ..... \$ \_\_\_\_\_

2. Total Family Benefit (TFB) ..... \$ \_\_\_\_\_

3. Higher of Amounts Shown Above ..... \$ \_\_\_\_\_

4. Monthly Workers' Compensation (WC) Rate  
(Subject to reduction due to allowable expenses) ..... \$ \_\_\_\_\_

5. Social Security Benefits Payable After Offset in Month of Entitlement  
(#3 minus #4, if a negative amount show 0) ..... \$ \_\_\_\_\_

6. Original Federal Offset Amount (#2 minus #5) ..... \$ \_\_\_\_\_

\*\*\*\*\*

**PART II - CHANGE IN FEDERAL OFFSET AMOUNT DUE TO TRIENNIAL REDETERMINATION OF THE ACE** (42 USC 424 (F) (1) and 20 CFR 404.408(1))

Effective January \_\_\_\_\_

1. Redetermined 80% ACE ..... \$ \_\_\_\_\_

2. Original 80% ACE ..... \$ \_\_\_\_\_

3. Difference Between Original and Redetermined ACE (#2 minus #1) ..... \$ \_\_\_\_\_

4. Cost of Living Allowance (COLA) Increases for Same Period of Time (Date of Entitlement Through Date of Redetermination) ..... \$ \_\_\_\_\_

5. Decrease in Offset (#3 minus #4; if negative, show 0) ..... \$ \_\_\_\_\_

6. Federal Offset Amount (#6 in Part I minus #5) ..... \$ \_\_\_\_\_

The next Triennial Redetermination of the ACE should be completed in ..... / /

PREPARED BY: \_\_\_\_\_

Social Security Field Office

LWC -WC-1004  
REVISED 7/8/08

**§6709. Motion for Recognition of Right to Social Security Offset; Form LW-WC-1005A**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1 & R.S. 23:1225

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1638 (October 2025).



STATE OF LOUISIANA  
LOUISIANA WORKFORCE COMMISSION  
OFFICE OF WORKERS' COMPENSATION

\_\_\_\_\_ \* SS#: \_\_\_\_\_  
VERSUS \* DOCKET NO: \_\_\_\_\_  
\_\_\_\_\_ \* DISTRICT: \_\_\_\_\_

MOTION FOR RECOGNITION OF RIGHT TO SOCIAL SECURITY OFFSET

NOW INTO COURT as undersigned comes \_\_\_\_\_,  
employer/insurer in the referenced case, and requests the Workers' Compensation Judge to enter an order  
recognizing its right to take the reverse offset, since the claimant in this matter is receiving permanent total  
disability benefits under the Louisiana Workers' Compensation Act in addition to benefits under 42 U.S.C.  
Chapter 7, Subchapter II, entitled Federal Old Age, Survivors, and Disability Insurance Benefits.

SIGNED this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
(PRINT NAME)  
Agent for \_\_\_\_\_

LWC-WC-1005A  
Rev. 7/08

**§6711. Order Recognizing Right to Social Security  
Offset; Form LW-WC-1005B**

AUTHORITY NOTE: Promulgated in accordance with R.S.  
23:1310.1 & R.S. 23:1225

HISTORICAL NOTE: Promulgated by Louisiana Works, Office  
of Workers' Compensation Administration, LR 51:1639 (October  
2025).

STATE OF LOUISIANA  
LOUISIANA WORKFORCE COMMISSION  
OFFICE OF WORKERS' COMPENSATION

\_\_\_\_\_ \* SS#: \_\_\_\_\_  
VERSUS \* DOCKET NO: \_\_\_\_\_  
\_\_\_\_\_ \* DISTRICT: \_\_\_\_\_

ORDER RECOGNIZING RIGHT TO SOCIAL SECURITY OFFSET

This matter is before the Workers' Compensation Judge on the motion of the employer/insurer for recognition of its right to claim the social security reverse offset in this case. The Workers' Compensation Judge finds that the claimant is receiving permanent total disability benefits under the provisions of the Louisiana Workers' Compensation Act in addition to benefits under 42 U.S.C. Chapter 7, Subchapter II, entitled Federal Old Age, Survivors, and Disability Insurance Benefits. The Workers' Compensation Judge further finds the under that provisions of L.R.S. 23:1225(A) the employer/insurer has claimed and is entitled to a reduction in the Workers' Compensation benefits paid to claimant in the amount of \_\_\_\_\_.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the employer/insurer is hereby allowed to offset the Workers' Compensation benefits paid to claimant in the amount of \_\_\_\_\_ beginning on \_\_\_\_\_, 20 \_\_\_\_\_, the date of employer/insurer's judicial demand.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Social Security Administration reverse its social security offset effective \_\_\_\_\_, 20 \_\_\_\_\_, the date of employer/insurer's judicial demand.

READ, RENDERED AND SIGNED this the \_\_\_\_\_ day of \_\_\_\_\_  
20 \_\_\_\_\_ at \_\_\_\_\_ Parish, Louisiana.

\_\_\_\_\_  
WORKERS' COMPENSATION JUDGE

LWC-WC-1005B  
Rev. 7/07

**§6713. Subpoena for Deposition and Subpoena Duces  
Tecum; Form LW-WC-1006A**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1 & R.S. 23:1225

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1640 (October 2025).

**SUBPOENA FOR DEPOSITION  
AND SUBPOENA DUCES TECUM**

\_\_\_\_\_ \* **DOCKET NO.** \_\_\_\_\_ **DISTRICT** \_\_\_\_\_  
**VERSUS** \_\_\_\_\_ \* **OFFICE OF WORKERS' COMPENSATION**  
\_\_\_\_\_ \* **STATE OF LOUISIANA**

**TO** \_\_\_\_\_

**YOU ARE HEREBY COMMANDED** to appear at the office of \_\_\_\_\_

address \_\_\_\_\_

\_\_\_\_\_ Telephone # \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_

\_\_\_\_\_ .m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to have your oral testimony taken in the  
above entitled and numbered cause.

**YOU ARE/ARE NOT (circle one) FURTHER COMMANDED** to produce at the above time  
and place the following:

This **SUBPOENA** was issued by the Office of Workers' Compensation on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_.

This **SUBPOENA** was ordered by Attorney:

\_\_\_\_\_

\_\_\_\_\_

Telephone: ( \_\_\_\_\_ ) \_\_\_\_\_

LWC-WC-1006A (Rev. 06/25)

\_\_\_\_\_  
**Records Manager's Name:** \_\_\_\_\_  
**Office of Workers' Compensation**

I hereby certify I have served a copy of this  
subpoena on all attorneys of record.

\_\_\_\_\_

**§6715. Subpoena Duces Tecum for Inspection; Form  
LW-WC-1006B**

AUTHORITY NOTE: Promulgated in accordance with R.S.  
23:1310.1 & R.S. 23:1310.7

HISTORICAL NOTE: Promulgated by Louisiana Works, Office  
of Workers' Compensation Administration, LR 51:1641 (October  
2025).

**SUBPOENA DUCES TECUM FOR INSPECTION**

\_\_\_\_\_ \* **DOCKET NO.** \_\_\_\_\_ **DISTRICT** \_\_\_\_\_  
**VERSUS** \_\_\_\_\_ \* **OFFICE OF WORKERS' COMPENSATION**  
\_\_\_\_\_ \* **STATE OF LOUISIANA**

**TO** \_\_\_\_\_  
\_\_\_\_\_

**YOU ARE HEREBY COMMANDED** to produce (or mail/deliver) at the office of \_\_\_\_\_

\_\_\_\_\_ Address \_\_\_\_\_

\_\_\_\_\_ Telephone # \_\_\_\_\_ at (by) \_\_\_\_\_ o'clock \_\_\_\_m.

on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the following documents:

This **SUBPOENA** was issued by the Office of Workers' Compensation on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

This **SUBPOENA** was ordered by Attorney:

\_\_\_\_\_  
\_\_\_\_\_  
Telephone: (\_\_\_\_) \_\_\_\_\_

\_\_\_\_\_  
**Records Manager's Name:** \_\_\_\_\_  
**Office of Workers' Compensation**

I hereby certify I have served a copy of this subpoena on all attorneys of record.

LWC-WC-1006B Rev. 06/25

**§6717. Subpoena and Subpoena Deuces Tecum; Form LW-WC-1006C**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1 & R.S. 23:1310.7

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1642 (October 2025).

**SUBPOENA AND SUBPOENA DUCES TECUM**

\_\_\_\_\_ \* **DOCKET NO.** \_\_\_\_\_ **DISTRICT** \_\_\_\_\_  
**VERSUS** \* **OFFICE OF WORKERS' COMPENSATION**  
\_\_\_\_\_ \* **STATE OF LOUISIANA**

**TO** \_\_\_\_\_  
\_\_\_\_\_

**YOU ARE HEREBY COMMANDED** to appear before the Workers' Compensation Court at

**Address:** \_\_\_\_\_

\_\_\_\_\_ Telephone # \_\_\_\_\_ at \_\_\_\_\_ o'clock

\_\_\_\_\_.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, or on any other day that this matter may be

continued to give testimony in the above entitled and numbered cause. **You must remain in Court until discharged by the Judge. You must testify to the truth, to the best of your knowledge in this case .**

**YOU ARE/ARE NOT (circle one) FURTHER COMMANDED** to produce at the above time and place the following:

**FAILURE TO APPEAR OR PRODUCE AS DIRECTED ABOVE SHALL SUBJECT YOU TO ANY PENALTY AS PRESCRIBED BY LAW.**

This **SUBPOENA** was issued by the Office of Workers' Compensation on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

This **SUBPOENA** was ordered by Attorney:

\_\_\_\_\_  
\_\_\_\_\_  
Telephone: (\_\_\_\_) \_\_\_\_\_

\_\_\_\_\_  
**Records Manager's Name:** \_\_\_\_\_  
**Office of Workers' Compensation**

I hereby certify I have served a copy of this subpoena on all attorneys of record.

\_\_\_\_\_

LWC-WC-1006C Rev. 06/25

**§6719. Employer's Report of Injury/Illness; Form LW-WC-IA-1**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1 & R.S. 23:1310.7

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1643 (October 2025).

## WORKERS COMPENSATION – FIRST REPORT OF INJURY OR ILLNESS

EMPLOYER (NAME & ADDRESS INCL ZIP)		CARRIER/ADMINISTRATOR CLAIM NUMBER	OSHA LOG NUMBER	REPORT PURPOSE CODE	
		JURISDICTION		JURISDICTION CLAIM NUMBER	
		INSURED REPORT NUMBER			
INDUSTRY CODE		EMPLOYER FEIN	EMPLOYER'S LOCATION ADDRESS (IF DIFFERENT)		
			LOCATION #	PHONE #	
<b>CARRIER/CLAIMS ADMINISTRATOR</b>					
CARRIER (NAME, ADDRESS, & PHONE #)		POLICY PERIOD	CLAIMS ADMINISTRATOR (NAME, ADDRESS & PHONE NO)		
		TO			
		CHECK IF APPROPRIATE			
		SELF INSURANCE <input type="checkbox"/>			
CARRIER FEIN	POLICY/SELF-INSURED NUMBER			ADMINISTRATOR FEIN	
AGENT NAME & CODE NUMBER					
<b>EMPLOYEE/WAGE</b>					
NAME (LAST, FIRST, MIDDLE)		DATE OF BIRTH	SOCIAL SECURITY NUMBER	DATE HIRED	STATE OF HIRE
ADDRESS (INCL ZIP)		SEX	MARITAL STATUS	OCCUPATION/JOB TITLE	
		<input type="checkbox"/> MALE	<input type="checkbox"/> UNMARRIED	EMPLOYMENT STATUS	
		<input type="checkbox"/> FEMALE	<input type="checkbox"/> SINGLE/DIVORCED		
		<input type="checkbox"/> UNKNOWN	<input type="checkbox"/> MARRIED		
PHONE		# OF DEPENDENTS	<input type="checkbox"/> SEPARATED	NCCI CLASS CODE	
			<input type="checkbox"/> UNKNOWN		
RATE PER:	<input type="checkbox"/> DAY WEEK	<input type="checkbox"/> MONTH OTHER:	DAYS WORKED/WEEK	FULL PAY FOR DAY OF INJURY? DID SALARY CONTINUE?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>OCCURRENCE/TREATMENT</b>					
TIME EMPLOYEE BEGAN WORK	<input type="checkbox"/> AM <input type="checkbox"/> PM	DATE OF INJURY/ILLNESS	TIME OF OCCURRENCE	<input type="checkbox"/> AM <input type="checkbox"/> PM	LAST WORK DATE
			( ) CANNOT BE DETERMINED		DATE EMPLOYER NOTIFIED
CONTACT NAME/PHONE NUMBER		TYPE OF INJURY/ILLNESS		PART OF BODY AFFECTED	
DID INJURY/ILLNESS/EXPOSURE OCCUR ON EMPLOYER'S PREMISES?		TYPE OF INJURY/ILLNESS CODE		PART OF BODY AFFECTED CODE	
<input type="checkbox"/> YES <input type="checkbox"/> NO					
DEPARTMENT OR LOCATION WHERE ACCIDENT OR ILLNESS EXPOSURE OCCURRED		ALL EQUIPMENT, MATERIALS, OR CHEMICALS EMPLOYEE WAS USING WHEN ACCIDENT OR ILLNESS EXPOSURE OCCURRED			
SPECIFIC ACTIVITY THE EMPLOYEE WAS ENGAGED IN WHEN THE ACCIDENT OR ILLNESS EXPOSURE OCCURRED		WORK PROCESS THE EMPLOYEE WAS ENGAGED IN WHEN ACCIDENT OR ILLNESS EXPOSURE OCCURRED			
HOW INJURY OR ILLNESS/ABNORMAL HEALTH CONDITION OCCURRED. DESCRIBE THE SEQUENCE OF EVENTS AND INCLUDE ANY OBJECTS OR SUBSTANCES THAT DIRECTLY INJURED THE EMPLOYEE OR MADE THE EMPLOYEE ILL					CAUSE OF INJURY CODE
DATE RETURN(ED) TO WORK	IF FATAL, GIVE DATE OF DEATH	WERE SAFEGUARDS OR SAFETY EQUIPMENT PROVIDED?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
		WERE THEY USED?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
PHYSICIAN/HEALTH CARE PROVIDER (NAME & ADDRESS)		HOSPITAL OR OFF SITE TREATMENT (NAME & ADDRESS)		INITIAL TREATMENT	
				<input type="checkbox"/> NO MEDICAL TREATMENT	
				<input type="checkbox"/> MINOR BY EMPLOYER	
				<input type="checkbox"/> MINOR CLINIC/HOSP	
				<input type="checkbox"/> EMERGENCY CARE	
				<input type="checkbox"/> HOSPITALIZED > 24 HOURS	
				<input type="checkbox"/> FUTURE MAJOR MEDICAL/ LOST TIME ANTICIPATED	
<b>OTHER</b>					
WITNESSES (NAME & PHONE #)					
DATE ADMINISTRATOR NOTIFIED	DATE PREPARED	PREPARER'S NAME & TITLE		PHONE NUMBER	

LWC-WC IA-1

IAIABC 2002

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1306

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1644 (October 2025).

**§6721. Disputed Claim for Compensation; Form LW-WC-1008**

**To be filed with OWCA District Office  
of proper venue per La. R.S. 23:1310.4**  
[laworks.net/WorkersComp/OWC\\_districtofficelisting.asp](http://laworks.net/WorkersComp/OWC_districtofficelisting.asp)

**DISTRICT:** \_\_\_\_\_  
(Identify venue choice here)

Questions should be directed to the District Office or  
The Office of Workers' Compensation Administration  
Phone: (225) 342-7970 or Toll Free (800) 201-2499

**DOCKET #:** \_\_\_\_\_  
(to be completed by district office)

**DISPUTED WORKERS' COMPENSATION CLAIM**

This claim is submitted by or on behalf of (check one): \_\_\_\_\_ Employee \_\_\_\_\_ Employer \_\_\_\_\_ Insurer/SIF \_\_\_\_\_ Healthcare  
Provider (HCP) \_\_\_\_\_ Dependent/Other \_\_\_\_\_ LWC

<p><b>1. EMPLOYEE</b> Service ___Y___N</p> <p>Name _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Telephone _____</p> <p>Email or Fax _____</p> <p>Birthdate _____</p> <p>SSN _____</p> <p><u>Attorney Information</u> Service ___Y___N</p> <p>Name _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Bar Roll No. _____</p> <p>Telephone _____</p> <p>Email and Fax _____</p>	<p><b>2. EMPLOYER</b> Service ___Y___N</p> <p>Name _____</p> <p>Registered Agent (Corp. or LLC) _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Telephone _____</p> <p>Email or Fax _____</p> <p><u>Attorney Information</u> Service ___Y___N</p> <p>Name _____</p> <p>Contact Person _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Telephone _____</p> <p>Bar Roll No. _____</p> <p>Email and Fax _____</p>
<p><b>3. INSURER/SIF</b> Service ___Y___N (Insurer listing <a href="http://ewccv.com/cvs/?ref=https://www.laworks.net/">ewccv.com/cvs/?ref=https://www.laworks.net/</a> )</p> <p>Name _____</p> <p>Registered Agent _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Telephone _____</p> <p>Email or Fax _____</p> <p><u>Attorney Information</u> Service ___Y___N</p> <p>Name _____</p> <p>Contact Person _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>Bar Roll No. _____</p> <p>City/State _____</p> <p>Telephone _____</p> <p>Email and Fax _____</p>	<p><b>4. THIRD PARTY ADMINISTRATOR</b> Service ___Y___N</p> <p>Name _____</p> <p>Contact Person _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Telephone _____</p> <p>Email or Fax _____</p> <p><u>Attorney Information</u> Service ___Y___N</p> <p>Name _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Bar Roll No. _____</p> <p>Telephone _____</p> <p>Email and Fax _____</p>

<p><b>5. HEALTH CARE PROVIDER</b> Service ___Y___N</p> <p>Name _____</p> <p>Contact Person _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Telephone _____</p> <p>Email or Fax _____</p> <p style="text-align: center;">Attorney Information Service ___Y___N</p> <p>Name _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Bar Roll No. _____</p> <p>Telephone _____</p> <p>Email and Fax _____</p>	<p><b>6. DEPENDENT or OTHER</b> Service ___Y___N</p> <p>Name _____</p> <p>Capacity/Relationship to Employee _____</p> <p>_____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Telephone _____</p> <p>Email or Fax _____</p> <p style="text-align: center;">Attorney Information Service ___Y___N</p> <p>Name _____</p> <p>Street or P.O. Box _____</p> <p>_____</p> <p>City/State _____</p> <p>Bar Roll No. _____</p> <p>Telephone _____</p> <p>Email and Fax _____</p>
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**Service Instructions – Please indicate whether you are requesting service on the parties listed above by checking Y for “yes” or N for “no” in the assigned space. Attach any special service instructions in writing. All persons on whom service is requested will be served by certified mail at the address listed above unless otherwise instructed.**

**7. ACCIDENT/INJURY/OCCUPATIONAL DISEASE DATA (Attach additional pages as necessary.)**

(a) Employee’s Occupation \_\_\_\_\_ Average Weekly Wage \$ \_\_\_\_\_

(b) Date of accident or date occupational disease symptoms began \_\_\_/\_\_\_/\_\_\_

(c) Name of Employer Representative or Supervisor to whom accident was first reported: \_\_\_\_\_

(d) Date/time when accident was first reported to Employer Representative or Supervisor \_\_\_\_\_

(e) Parish where accident occurred \_\_\_\_\_

(f) Employee’s Parish of residence at time of the injury/illness \_\_\_\_\_

(g) List Affected/Injured Body Part and/or describe the nature of occupational disease(s)

\_\_\_\_\_

\_\_\_\_\_

(h) Describe the accident/injury, including manner in which it occurred, persons/equipment involved, type of injury, etc. If the employee claims an occupational disease, describe the symptoms and the date on which they manifested.

\_\_\_\_\_

\_\_\_\_\_

(i) List the name and address for all witnesses to the accident.

\_\_\_\_\_

\_\_\_\_\_



**8. MEDICAL TREATMENT (Attach additional pages as necessary.)**

List the name and address of all physicians, hospitals, or other healthcare providers who have treated the employee as a result of the injury/occupational disease described above.

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**9. THE BONA FIDE DISPUTE – Briefly describe all disputed issues (Attach additional pages as necessary.)**

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**In addition, check all of the applicable items below:**

- (a) No wage benefits have been paid
- (b) Wage benefits were improperly terminated on \_\_\_/\_\_\_/\_\_\_
- (c) Wage benefits were improperly reduced on \_\_\_/\_\_\_/\_\_\_
- (d) The worker's compensation rate is incorrect. It should be \$ \_\_\_\_\_
- (e) No medical treatment has been authorized
- (f) Failure to pay the correct amount of medical benefits
- (g) Failure to pay medical benefits timely
- (h) Medical treatment, specifically \_\_\_\_\_ (procedure/description) recommended by \_\_\_\_\_ (healthcare provider) has been denied/has not been authorized **(Issues of medical necessity are subject to La. R.S. 23:1203.1.)**
- (i) Appeal of a LWC-WC-1009/Disputed Claim for Medical Treatment **(Attach a copy of the OWCA medical director's decision. The 1009 appeal may not be joined with any other issues. File a separate 1008 for any other claims you are asserting.)**
- (j) Choice of treating physician has not been authorized (List physician's name, address, and specialty.) \_\_\_\_\_
- (k) Vocational Rehabilitation has not been properly provided/authorized
- (l) Disability status is incorrect. Correct status is **(Check all that apply)** \_\_\_ Temporary Total \_\_\_ Permanent Total \_\_\_ Supplemental Earnings Benefits \_\_\_ Permanent Partial
- (m) Death Benefits have \_\_\_\_\_ not been paid and/or \_\_\_\_\_ not been properly paid
- (n) Offset (specify) \_\_\_\_\_
- (o) Credit (specify) \_\_\_\_\_
- (p) Mandatory Insurance Compliance System (MICS) case **(Attach MICS pleading and order to set hearing.)**

**9. THE BONA FIDE DISPUTE – (continued)**

- (q) Penalties/Attorney Fees
- (r) Interest
- (s) Costs
- (t) Fraud (specify facts)

\_\_\_\_\_

\_\_\_\_\_

**10. REQUESTS FOR EXPEDITED HEARING** (If you are requesting an expedited hearing, you must attach a corresponding motion detailing the legal and factual basis for the request and an order to be signed by the workers' compensation judge setting the hearing.)

In addition, check all that apply:

- choice of physician
- attendance at medical examination
- denial/demand of vocational rehabilitation
- execute choice of physician form
- return of LWC-WC forms 1025 or 1020
- lift suspension of benefits for failure to comply with R.S. 23:1121(B)(1)
- lift suspension of benefits for failure to attend medical exam
- lift suspension of benefits for failure to comply with R.S. 23:1208(H)
- lift reduction of benefits for failure to cooperate with vocational rehabilitation
- 1009 appeal
- MICS
- Objection to La. R.S. 23:1123 IME
- other (specify)

\_\_\_\_\_

**NOTES:** You may attach a petition with additional information. Insurance coverage information for employers may be verified online at [www.laworks.net](http://www.laworks.net). All pleadings and court filings shall be submitted on letter sized paper only.

I  **DO**  **DO NOT (check one)** agree to accept service of all notices from the Office of Workers' Compensation at the  facsimile and/or  email (**check one or both**) listed above.

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature and Bar # of Attorney (if applicable)

\_\_\_\_\_  
Date

**CERTIFICATION:** I hereby certify that all information contained in the foregoing Disputed Claim is correct to the best of my knowledge and information. A copy thereof has been provided to all known parties via U.S. mail, postage prepaid.

\_\_\_\_\_  
Signature (person who prepared and mailed the form)  
Printed Name: \_\_\_\_\_

**§6725. Request for Compromise and Lump Sum Settlement; Form LW-WC-1011**

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 23:1310.1

**HISTORICAL NOTE:** Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1645 (October 2025).

**SUBMIT TO:**  
 OWCA DISTRICT OFFICE or  
 OFFICE OF WORKERS'  
 COMPENSATION  
 POST OFFICE BOX 94040  
 BATON ROUGE, LA 70804-9040

PHONE (225) 342-7970  
 TOLL FREE (800) 201-2499

1. Social Security No. \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_
2. Date of Injury/Illness \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_
3. Part(s) of Body Injured \_\_\_\_\_
4. OWC Docket Number \_\_\_\_\_
5. OWC District Number \_\_\_\_\_

**REQUEST FOR COMPROMISE  
 OR LUMP SUM SETTLEMENT**

\_\_\_\_\_  
 DATE OF APPROVAL

\_\_\_\_\_  
 JUDGE

**EMPLOYEE**

6. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_

**EMPLOYEE'S ATTORNEY**

7. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax \_\_\_\_\_

**EMPLOYER**

8. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_

**INSURER/ADMINISTRATOR  
 (circle one)**

9. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax \_\_\_\_\_

**EMPLOYER/INSURER'S ATTORNEY  
 (circle one)**

10. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax \_\_\_\_\_

11. DATE OF SETTLEMENT CONFERENCE: \_\_\_\_\_
12. TERMS AND AMOUNT OF SETTLEMENT: \_\_\_\_\_
13. BENEFITS PAID TO DATE:
  - a.) AVERAGE WEEKLY WAGE: \$ \_\_\_\_\_
  - b.) WORKERS' COMPENSATION BENEFITS: \$ \_\_\_\_\_
  - c.) MEDICAL BENEFITS: \$ \_\_\_\_\_
  - d.) DEATH BENEFITS: \$ \_\_\_\_\_
14. ATTORNEY FEES PAID TO DATE: \$ \_\_\_\_\_
15. ADDITIONAL FEES REQUIRED: \_\_\_\_\_

**ATTACHMENTS REQUIRED:**

- \_\_\_\_\_ JOINT PETITION
- \_\_\_\_\_ FORM 1007 ATTACHED \_\_\_\_\_ or ON FILE \_\_\_\_\_
- \_\_\_\_\_ FORM 1003 ATTACHED \_\_\_\_\_ or ON FILE \_\_\_\_\_
- \_\_\_\_\_ EMPLOYEE AFFIDAVIT
- \_\_\_\_\_ EMPLOYER CONCURRENCE
- \_\_\_\_\_ ALLEGATION OF LEGAL REPRESENTATION

- \_\_\_\_\_ MOST RECENT MEDICAL REPORT
- \_\_\_\_\_ WAIVER OF RIGHTS UNDER La. R.S. 23:1271
- \_\_\_\_\_ FILING FEE PAID
- \_\_\_\_\_ ORDER OF APPROVAL
- \_\_\_\_\_ MOTION AND ORDER FOR ATTORNEY FEES
- \_\_\_\_\_ MOTION AND ORDER TO DISMISS 1008  
 (IF APPLICABLE)

SUBMITTED BY: \_\_\_\_\_

PHONE: \_\_\_\_\_

LWC-WC-1011  
 REV. 06/25

**§6727. Request for Independent Medical Examination;  
 Form LW-WC-1015**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1 & R.S. 23:1272

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1649 (October 2025).

**RETURN TO:**  
 OFFICE OF WORKERS' COMPENSATION  
 POST OFFICE BOX 94040  
 BATON ROUGE, LA 70804-9040  
 EMAIL: [medicalservices@lwc.la.gov](mailto:medicalservices@lwc.la.gov)  
 PHONE: (225) 342-2030  
 TOLL FREE (800) 201-2494

1. Social Security No. \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_
2. Date of Injury/Illness \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_
3. Part(s) of Body Injured \_\_\_\_\_
4. Date of Birth \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_
5. No 1008/suit is pending  (check if applicable)
6. OWCA Docket Number \_\_\_\_\_
7. OWCA District Number \_\_\_\_\_

**REQUEST FOR La. R.S. 23:1123 INDEPENDENT MEDICAL EXAMINATION**

**8. Issues in Dispute** (*check all that apply*):

- Employee's condition     Employee's capacity to work
- A. The Assistant Secretary of the Office of Workers' Compensation shall choose the medical practitioner to conduct the IME per La. R. S. 23:1123.
- B. All requests to the OWCA for an IME shall include the following:
  - A cover letter explaining the conflicting medical issue(s) in dispute (reason for request) along with the conflicting medical reports must be attached to this form. The reports that document the dispute shall be most recent.
  - A list of names, addresses, and phone numbers of all physicians/medical providers who have treated or examined the injured employee for this injury. For each physician/medical provider listed, please state which party chose the provider.
- C. The submitting party shall mail a copy of this request and all included documents to all parties and their attorneys on the same day.
- D. The Assistant Secretary will not appoint an IME unless there is a dispute as to the employee's condition or capacity to work pursuant to La. R.S. 23:1123.
- E. Upon notice that your request for an IME is granted, you shall forward medical documents from all parties' medical providers (including but not limited to applicable reports, notes, test results, FCEs, X-rays, MRIs, and CT scans) to the IME physician's office with a copy of the OWCA IME Agreement and the OWCA letter to the doctor. **Do not** attach a private cover letter. You shall forward a statement to all parties and their attorneys identifying any films provided to the IME by provider name, type, and date of service in addition to identical copies of all documents, excluding films, you sent to the IME physician's office.
- F. You shall not communicate verbally or in writing with the IME prior to the IME rendering the IME report unless otherwise directed by Medical Services for limited processing issues.
- G. The type of indemnity benefit, if any, an employee may be entitled to is a legal determination outside of the scope of the IME.

**EMPLOYEE**

9. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone (    ) \_\_\_\_\_

**EMPLOYEE'S ATTORNEY**

10. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone (    ) \_\_\_\_\_  
 Bar Roll # \_\_\_\_\_  
 Email: \_\_\_\_\_

**EMPLOYER**

11. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone (    ) \_\_\_\_\_

**INSURER** or  **THIRD PARTY ADMINISTRATOR**  
*(check one)*

12. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone (    ) \_\_\_\_\_  
 Email: \_\_\_\_\_

ATTORNEY FOR | **EMPLOYER** | **INSURER**  
*(check all that apply)*

13. Name \_\_\_\_\_  
 Street or Box \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone (    ) \_\_\_\_\_  
 Bar Roll #: \_\_\_\_\_  
 Email: \_\_\_\_\_

LWC-WC-1015 Rev. 06/25

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291 & R.S. 23:1123

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1650 (October 2025).

**§6729. Employee's Monthly Report of Earnings; Form LW-WC-1020**

EMPLOYEE'S MONTHLY REPORT OF EARNINGS

You must submit this report to your employer's workers' compensation insurer within 30 days of your job-related injury, and every 30 days as long as you receive workers' compensation indemnity benefits. You do not have to submit this report if you have only received medical benefits. Your workers' compensation benefits may be suspended if you do not timely submit this report.

Warning: Per La. R.S. 23:1208 of the Louisiana Workers' Compensation Statute, it shall be unlawful for a person, for the purpose of obtaining or defeating any benefit payment under the provisions of this Chapter, either for himself or for any other person, to willfully make a false statement or representation. Penalties for violations include imprisonment, fines, and/or the forfeiture of benefits.

DO NOT leave any blanks on this report. Print or type all responses, and use Not Applicable (N/A) or Zero (0-) where appropriate.

- 1. The information in this report is true for the period beginning \_\_\_\_\_, 20\_\_ and ending \_\_\_\_\_, 20\_\_.
- 2. For the period covered in this report, did you receive a salary, wage, sales commission, or payment, including cash, of any kind? [ ] Yes [ ] No
If yes, give name and address of employer \_\_\_\_\_
If yes, give your gross earnings \_\_\_\_\_
- 3. For the period covered in this report, were you self-employed or involved in any business enterprise? These include but are not limited to farming, sales work, operating a business (even if the business lost money), child care, yard work, mechanical work, or any type of family business. [ ] Yes [ ] No
If yes, describe the type of business you are involved in, your job duties, and the amount of income received from the business. \_\_\_\_\_
- 4. Did you perform any volunteer work during the period covered in this report? [ ] Yes [ ] No
If yes, describe the type of volunteer work you performed. \_\_\_\_\_
- 5. Did you receive any unemployment insurance benefits for the period covered in this report? [ ] Yes [ ] No
If yes, how much? \_\_\_\_\_ For how many weeks? \_\_\_\_\_
- 6. Did you receive any old age insurance benefits under Title II of the Social Security Act? [ ] Yes [ ] No
If yes, how much? \_\_\_\_\_
- 7. Did you receive any Social Security Disability Benefits, retirement benefits, or any other type of disability or government benefits? [ ] Yes [ ] No
If yes, how much? \_\_\_\_\_ What type of benefits did you receive? \_\_\_\_\_

Employee Certification

I certify that I understand the contents of this entire document and understand I am held responsible for this information. I certify my answers are complete and true, and certify my compliance with the Louisiana Workers' Compensation Act.

Print Name \_\_\_\_\_ Signature \_\_\_\_\_ Social Security Number \_\_\_\_\_ Date \_\_\_\_\_
Physical/Street Address \_\_\_\_\_ City \_\_\_\_\_ State/Zip \_\_\_\_\_ Telephone Number \_\_\_\_\_
Date of Injury \_\_\_\_\_ Claim Number \_\_\_\_\_ Insurer \_\_\_\_\_ Telephone Number \_\_\_\_\_

LWC-WC-1020
REVISED 06/25

§6731. Employee Certificate of Compliance; Form LW-WC-1025EE

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291 & R.S. 23:1221

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1651 (October 2025).

**EMPLOYEE  
CERTIFICATE OF COMPLIANCE**

You must submit this form to your employer's workers' compensation insurer or to your employer within 14 days of its receipt. Your workers' compensation benefits may be suspended if you do not timely submit this Certification. You would be entitled to all suspended benefits after this Certification is provided to your insurer, if you are otherwise eligible for benefits.

It is unlawful for you to work and receive workers' compensation disability benefits, except for supplemental earnings benefits. Supplemental earnings benefits are paid when an employee is able to work, but is unable to earn 90% or more of his pre-injury wages as a result of a job related accident. As an injured worker, you must notify your employer or insurer of the earning of any wages, changes in employment or medical status, receipt of unemployment benefits, receipt of social security benefits and receipt of retirement benefits. If you receive benefits for more than 30 days, you will be required to certify your earnings to your insurer quarterly.

It is unlawful for you to receive workers' compensation indemnity disability benefits and unemployment benefits at the same time, except for permanent partial disability benefits. Permanent partial disability benefits are paid solely for amputation or for anatomical loss of use of a body part or function. If you violate this provision, you may be fined up to \$10,000, imprisoned up to 90 days, or both.

It is unlawful for you to willfully make, or to assist or counsel someone else to make, a false statement or representation in order to obtain or to defeat workers' compensation benefits. If you violate this provision, you may be fined, imprisoned, or both, as follows:

<u>Unlawful Benefits Paid or Claimed</u>	<u>Fine</u>	<u>Imprisonment</u>
\$10,000 or more	up to \$10,000	up to 10 years, with or without hard labor
\$2,500 or more but less than \$10,000	up to \$ 5,000	up to 5 years, with or without hard labor
less than \$2,500	up to \$500	up to 6 months

In addition to these criminal penalties, you may be assessed a civil penalty of up to \$5,000 and may forfeit your right to receive workers' compensation benefits.

**EMPLOYEE CERTIFICATION**

I certify that I understand the contents of this entire document, and that I understand I am held responsible for this information. I certify my compliance with the above stated requirements regarding receipt of workers' compensation benefits.

_____	_____	_____	_____
Print Name	Signature	Social Security Number	Date
_____	_____	_____	_____
Address	City	State / Zip	( ) Phone Number

Note: Only one copy is required per case from the employee.  
Please mail this form to your employer or your employer's insurer.

**LWC-WC-1025.EE  
REVISED 06/2025**

**§6733. Employer Certificate of Compliance; Form LW-WC-1025ER**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1208

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1652 (October 2025).

**EMPLOYER CERTIFICATE OF COMPLIANCE**

You must submit this Certification to your workers' compensation insurer. Failure to submit this Certification as required may result in your being penalized by a fine of \$500, payable to your insurer.

You must secure workers' compensation for your employees through insurance or by becoming an authorized self-insured. If you fail to provide security for workers' compensation, you must pay an additional 50% in weekly benefits to your injured workers.

If you willfully fail to provide security for workers' compensation, then you are subject to a fine of up to \$10,000, imprisonment with or without hard labor for not more than 1 year, or both. If you have been previously fined and again fail to provide security for workers' compensation, then you are subject to additional penalties, including a court order to cease and desist from continuing further business operations.

You must not collect, demand, request, or accept any amount from any employee to pay or reimburse for the workers' compensation insurance premium. If you violate this provision, you may be punished with a fine of not more than \$500, or imprisoned with or without hard labor for not more than one year, or both.

It is unlawful for you to willfully make, or to assist or counsel someone else to make, a false statement or representation in order to obtain or to defeat workers' compensation benefits. If you violate this provision, you may be fined up to \$10,000, imprisoned with or without hard labor for up to 10 years, or both depending on the amount of benefits unlawfully obtained or defeated. In addition to these criminal penalties, you may be assessed a civil penalty of up to \$5,000.

**EMPLOYER CERTIFICATION**

I certify that I have read this entire document and understand its contents, and that I understand I am held responsible for this information. I certify my compliance with the Louisiana Workers' Compensation Act.

Preparer Name (PRINT)	Signature	Date
Company Name	Company Address	
( ) Phone Number	Insurance Policy Number	
Employee Name	Employee Social Security Number	

LWC-WC-1025.ER  
REV. 06/25

**§6735. Employee's Quarterly Report of Earnings; Form  
LW-WC-1026**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1208

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1653 (October 2025).

**EMPLOYEE'S QUARTERLY REPORT OF EARNINGS**

You must submit this Report to your workers' compensation insurer within 14 days. Your workers' compensation benefits may be suspended if you do not timely submit this Report. You would be entitled to all suspended benefits after this report is provided to your Insurer, if you are otherwise eligible for benefits.

You do not have to file this report if you have timely filed all necessary LWC-WC-1020 forms, or if you have only received medical benefits.

**DO NOT** leave any blanks on this Report. Print or type all responses, and use N/A (not applicable) or -0- (zero) where appropriate.

1. The information in this Report is true for the period beginning \_\_\_\_\_, 20 \_\_\_\_ and ending \_\_\_\_\_, 20 \_\_\_\_.
2. The name and address of the employer that I am receiving benefits from is: \_\_\_\_\_
3. Did you work for this employer in the past quarter? \_\_\_\_\_  
If yes, how much were your gross wages? \$ \_\_\_\_\_
4. Did you work for any other employer in the past quarter? \_\_\_\_\_ If yes, the name and address of the employer is \_\_\_\_\_  
If yes, how much were your gross wages? \$ \_\_\_\_\_
5. Did you have any earnings through self employment in the past quarter? \_\_\_\_\_ If yes, how much? \$ \_\_\_\_\_
6. Did you receive any unemployment compensation benefits in the past quarter? \_\_\_\_\_ If yes, how much? \$ \_\_\_\_\_
7. I received \$ \_\_\_\_\_ in old age benefits under Title II of the Social Security Act.
8. I received \$ \_\_\_\_\_ in Social Security Disability Benefits or other disability benefits.

**EMPLOYEE CERTIFICATION**

I certify that I can read the English language, that I have this entire document and understand its contents, and that I understand I am held responsible for this information. I certify my answers are complete and true, and certify my compliance with the Louisiana Workers' Compensation Act.

PRINT NAME	SIGNATURE	SOCIAL SECURITY NUMBER
ADDRESS	CITY	STATE / ZIP
		PHONE NUMBER
EMPLOYER NAME		DATE

LWC-WC-1026  
REVISED 6/25

**§6737. Attorney Fee Notice of Lien; Form LW-WC-1027**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291 & R.S. 23:1221

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1654 (October 2025).



\_\_\_\_\_  
VERSUS  
\_\_\_\_\_  
DOCKET NUMBER: \_\_\_\_\_ DISTRICT: \_\_\_\_\_  
OFFICE OF WORKERS' COMPENSATION  
STATE OF LOUISIANA

**NOTICE OF LIEN**

Pursuant to Louisiana Administrative Code 40:I.5547(B), \_\_\_\_\_ serves notice upon this Honorable Court and all parties to the above entitled claim that he/she represented the claimant or petitioner from \_\_\_\_ / \_\_\_\_ / \_\_\_\_ to \_\_\_\_ / \_\_\_\_ / \_\_\_\_ and hereby asserts a lien on the proceeds of the claim for unpaid attorney fees.

In support, counsel states as follows:

1. On \_\_\_\_ / \_\_\_\_ / \_\_\_\_,  counsel withdrew representation or  claimant/petitioner discharged attorney.
2. The attorneys and/or representatives for each party are listed below. Parties not represented by counsel at the time of this notice are identified in the list below as *pro se*.

Employee:

Employer:

Insurer:

Health Care Provider:

Other: (Please specify)

3. Attached is the retainer contract and Affidavit asserting a claim for fees.
4. I certify that I have served a copy of this lien form and the Affidavit to all parties.

Respectfully submitted,

Attorney Name: \_\_\_\_\_  
Bar Roll #: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: ( ) \_\_\_\_\_  
Fax: ( ) \_\_\_\_\_  
Email: \_\_\_\_\_

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1655 (October 2025).

**§6739. Scheduling Order; Form LW-WC-1028**

CLAIMANT/PETITIONER

DOCKET NUMBER: \_\_\_\_\_ DISTRICT: \_\_\_\_\_

VERSUS

OFFICE OF WORKERS' COMPENSATION

DEFENDANT

STATE OF LOUISIANA

**SCHEDULING ORDER**

On \_\_\_\_\_, a scheduling conference was held pursuant to Louisiana Administrative Code Title 40 Section 6001.

**PRESENT:**

\_\_\_\_\_ representing \_\_\_\_\_  
\_\_\_\_\_ representing \_\_\_\_\_  
\_\_\_\_\_ representing \_\_\_\_\_

**IT IS ORDERED:**

1. Motions for Summary Judgment shall be filed and served on all parties no later than 65 calendar days prior to trial, pursuant to La. CCP Art. 966.
2. Pre-trial statements shall be filed by all parties no later than 60 calendar days prior to trial.
3. The deadline to amend pleadings is 45 calendar days prior to trial.
4. The deadline to file pretrial motions is 45 calendar days prior to trial excluding Motions in limine and Peremptory exceptions.
5. The deadline to complete discovery is 30 calendar days prior to trial.
6. The parties shall exchange exhibits at least 14 calendar days prior to trial.
7. Each party shall deliver their exhibits to the court at least 7 calendar days prior to trial.
8. The parties may jointly request a pre-trial conference. If the parties' attorneys request a pre-trial conference, the attorneys attending the conference shall be familiar with the case and have authority to discuss the possibilities of settlement and stipulations.
9. Mediation is scheduled for \_\_\_\_\_
10. Trial is scheduled for \_\_\_\_\_
11. If the court grants a continuance of the trial, the parties shall apply the above deadlines to the new trial date unless a party objects within 7 calendar days; the court shall set any such objection for a contradictory hearing.

The following attorneys agree to waive the requirements of receiving all future Orders and Notices of Trial or Hearings by certified mail and have agreed to accept such notices by first class mail, email or facsimile transmission.

SO ORDERED IN \_\_\_\_\_, LOUISIANA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
HONORABLE \_\_\_\_\_  
Workers' Compensation Judge  
District \_\_\_\_\_

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1656 (October 2025).

**§6741. Choice of Physician; Form LW-WC-1121**

**NOTICE  
TO INJURED WORKERS**

**YOU HAVE THE RIGHT TO CHOOSE YOUR OWN DOCTOR!**

WHEN YOU ARE INJURED AT WORK OR BECOME SICK BECAUSE OF SOMETHING THAT HAPPENED AT WORK, THE LAW GIVES YOU THE RIGHT TO CHOOSE YOUR OWN DOCTOR IN ANY FIELD OR SPECIALTY OF MEDICINE FOR MEDICAL TREATMENT.

THE LAW ALSO ALLOWS YOUR EMPLOYER TO HAVE YOU SEE HIS/HER DOCTOR, BUT YOU DO NOT HAVE TO AGREE TO CONTINUE TREATMENT WITH YOUR EMPLOYER'S DOCTOR UNLESS THAT IS WHAT YOU WANT.

IF YOU WANT YOUR EMPLOYER'S DOCTOR TO CONTINUE TREATING YOU AFTER YOUR FIRST VISIT WITH HIM/HER, AND AFTER RECEIVING THIS FORM, YOU MAY CHOOSE YOUR EMPLOYER'S DOCTOR AS YOUR TREATING DOCTOR.

ONCE YOU CHOOSE EITHER YOUR EMPLOYER'S DOCTOR OR YOUR OWN DOCTOR AS YOUR TREATING DOCTOR, YOU MAY NOT BE PERMITTED TO CHOOSE ANOTHER DOCTOR IN THAT SAME FIELD OR SPECIALTY OF MEDICINE TO TREAT YOU FOR YOUR INJURY OR ILLNESS LATER ON. HOWEVER, YOU ARE NOT REQUIRED TO GET YOUR EMPLOYER'S APPROVAL TO CHANGE TO A DOCTOR IN ANOTHER FIELD OR SPECIALTY OF MEDICINE (La. R.S. 23:1121(B)(1)).

IF YOUR EMPLOYER DENIES YOUR RIGHT TO CHOOSE YOUR DOCTOR, YOU HAVE A RIGHT TO A SPEEDY HEARING BEFORE A WORKERS' COMPENSATION JUDGE TO RESOLVE THE DENIAL OF YOUR RIGHT (La. R.S. 23 1121 (B)(1) and 1124 (B)).

I HEREBY CHOOSE MY OWN DOCTOR TO TREAT ME FOR MY INJURY OR ILLNESS:  
DR. \_\_\_\_\_.

OR

BY SIGNING THIS FORM, I STATE THAT I KNOW ABOUT MY RIGHT TO CHOOSE MY OWN TREATING DOCTOR, AND BEING SO ADVISED, I HEREBY ACCEPT AND CHOOSE TO CONTINUE TREATING WITH MY EMPLOYER'S DOCTOR:  
DR. \_\_\_\_\_.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF EMPLOYEE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF EMPLOYER REPRESENTATIVE

(Note: If the employee is illiterate or has a language barrier, an authorized representative of the employer/insurer shall attest by their signature that this form and right of physician choice has been reasonably explained to that employee prior to his/her signature on this form. Failure to do so can jeopardize the employer's/insurer's right to subsequently refuse consent to the employee's request for treatment by a different physician within the same field or specialty.)

(Form LWC – WC 1121)

**§6743. Workers' Compensation Records Request Form;  
LW-WC-1150**

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1121(2)(b)

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1657 (October 2025).

## WORKERS' COMPENSATION RECORDS REQUEST FORM

**Mail completed form to:**

Louisiana Workforce Commission  
 OWCA Records Management Section  
 1001 N. 23<sup>rd</sup> Street  
 P.O. Box 94040  
 Baton Rouge, LA 70804-9040  
 Telephone No.: 225-342-7565

**Status of your records request: (Office use only.)**

- Will be processed.
- Is being returned. *See Section III, Page 2.*
- Has been processed. You owe a copying fee, *See Section III, Page 2.*
- Is complete. *See Section III, Page 2.*

**Note:** Copies of documents provided through this request shall adhere to the provisions of La. R.S. 23:1020.1, *et seq.* and La. R.S. 44:1, *et seq.*, which limits the inspection and copying of workers' compensation records. **\*A \$25.00 fee is required per employee search. (Exception: Requests for LWC-WC-1002 will NOT be assessed a \$25.00 search fee.) Copying fees are \$0.25 per page.** Make all checks payable to the **OWCA Administrative Fund.**

**SECTION I: TO BE COMPLETED BY REQUESTOR**

**1. Select all that apply:**

- I am the Employee **OR** Legal Representative of the Employee. *(Attach letter of representation.)*
- I am the Employer/Insurer **OR** Legal Representative of the Employer/Insurer. *(Attach letter of representation.)*
- I am **NOT** a party to a workers' compensation claim. *(Attach employee authorization, LWC-WC- 1151.) (Must be notarized)*
- I am a Prospective Employer. *(Attach employee authorization, LWC-WC- 1151.) (Must be notarized)*

**2. Name of Requestor** (Please Print)

**3. Phone Number**

**4. Company Name** (If Applicable)

**5. Fax Number**

**6. Address, City, State ZIP**

**7. Email**

**SECTION II: RECORDS REQUESTED**

**1. Employee's Name** *(Please use a separate form for each employee.)*

**2. Employee's Social Security Number**

**3. Identify the workers' compensation claim you are requesting :**

**Additional Comments:**

- Workers' Compensation Claim Docket # \_\_\_\_\_ Date of Injury \_\_\_\_\_
- ALL** cases for this injured worker.  
 - If known, list the Docket # and Date of Injury for each claim in the Additional Comments Section, see right. *You will be assessed a \$25.00 search fee for each workers' compensation docket number.*

**4. Additional records I am requesting:**

- Notice Of Payment, Modification, Suspension, Termination or Controversion of Compensation or Medical Benefits (LWC-WC-1002).  
 \*Only available to Employee or Employee Representative per La. R.S. 23:1201.1. *You will NOT be assessed a \$25.00 search fee for this records request.*
- Other documents requested. *Please specify in the Additional Comments section.*

**5. Need records certified?** (If certified, you will be assessed \$25.00.)

- Yes                       No

I have read and understand this form and the accompanying instructions. I certify that all information provided by me to the Office of Workers' Compensation Administration is accurate and correct to the best of my knowledge. I understand that providing false or misleading information may subject me to prosecution.

Signature of Requestor \_\_\_\_\_

Date \_\_\_\_\_

**SECTION III: TO BE COMPLETED BY OWCA RECORDS MANAGEMENT SECTION**

**1. This records request will NOT be processed due to the following:**

- \$25.00 Search fee not received.
- No Social Security Number/incomplete number.
- Employee Authorization form required.
- Incomplete information. Please provide: \_\_\_\_\_  
\*Your request will NOT be processed until the information is provided.

**2. Your request has been processed.**

\_\_\_\_\_ Pages of responsive records have been found. Please submit a check in the amount of \$\_\_\_\_\_ to the OWCA Administrative Fund. \*No records will be sent until the check is received by the OWCA.

Your request has produced more than one employee claim. \_\_\_\_\_ claims have been found. Please submit a check in the amount of \$\_\_\_\_\_ to the OWCA Administrative Fund. \*No records will be sent until the check is received by the OWCA.

**3. Your request is complete. The records search has:**  No Records Found  See Attached records.

Records request completed by \_\_\_\_\_

Date: \_\_\_\_\_

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1 & R.S. 23:1293

HISTORICAL NOTE: Promulgated by Louisiana Works, Office of Workers' Compensation Administration, LR 51:1658 (October 2025).

**§6745. Employee Authorization for OWCA to Release Confidential Workers' Compensation Records; LW-WC-1151**

**EMPLOYEE AUTHORIZATION FOR OWCA TO RELEASE  
CONFIDENTIAL WORKERS' COMPENSATION RECORDS**

**EMPLOYEE:** Please be aware that you **DO NOT** have to release all of your confidential information and you have a right to refuse to sign this document. You can choose to release only your public records, which includes: any final decision, award, or order of a workers' compensation judge. However, if you choose to release all of your confidential workers' compensation information, you **MUST** authorize the Office of Workers' Compensation Administration to release your confidential records information to anyone not a party to your workers' compensation claim. **\*This release must be attached to the Employee Workers' Compensation Records Request Form.**

<b>SECTION I: TO BE COMPLETED BY EMPLOYEE</b>	
<b>1. Employee's Full Name (Please Print)</b>	<b>2. Social Security Number</b>
<b>3. Street Address</b>	<b>4. Date of Birth</b>
<b>5. City, State, Zip</b>	<b>6. Phone Number</b>
<b>7. What records do you want to release?</b>	
<input type="checkbox"/> Only my workers' compensation claim(s) information that is considered <u>public record</u> under La. R.S. 23:1293(B)(1) which only includes: final decision(s), award(s), or order(s) of a workers' compensation judge.	
<b>OR</b>	
<input type="checkbox"/> Any and all of my workers' compensation claim(s) information, including confidential information, medical records, wage information, etc. in the possession of the Office of Workers' Compensation Administration, Records Management.	

I understand that the Louisiana Workers' Compensation Act, La. R.S. 23:1020.1, *et seq.*, provides that certain information regarding prior work related injuries may be released to a requesting party. By signing this authorization, I hereby voluntarily authorize the State of Louisiana, Office of Workers' Compensation Administration, Records Management Section to release only the information selected above in Section I and contained in my workers' compensation records, if any, to the Recipient named in Section II. This release may contain public and non-public records in my workers' compensation file(s) depending on my selection in Section I. This release is only for the recipient named in Section II and shall not be released to any third parties or any party not specifically named on this authorization.

This authorization will expire thirty (30) days from the date of signature.

Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

<b>SECTION II: RECORDS TO BE DISCLOSED TO</b>	
<b>1. Name of Recipient (Please Print)</b>	<b>2. Company Name (if applicable)</b>
<b>3. Street Address</b>	<b>4. Phone Number</b>
<b>5. City, State, Zip</b>	<b>6. Please state Recipient's relationship to the employee: *See Section III, Page 2.</b>

LWC-WC-1151

Page 1 of 2  
Revised  
12/05/2023

**SECTION III: IF THE RECIPIENT IS A PROSPECTIVE EMPLOYER**

**You must certify and sign the following:**

I hereby certify the information sought by this authorization is made on an applicant for employment only after a conditional job offer has been made and accepted, or on a current employee for a purpose which is job related and consistent with business necessity. I further certify the information obtained in the authorization will **NOT** be used to discriminate in any manner against the individual who is the subject of this authorization on any basis, in violation of the Americans with Disabilities Act of 1990, 42 U.S.C. §12101, *et seq.*, or any other state or federal law, as applicable.

I am aware of the confidential and privileged nature of an employee’s Workers’ Compensation records, pursuant to La. R.S. 23: 1293.

**Employer’s Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

Sworn and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
Notary Public’s Signature  
Print Name: \_\_\_\_\_  
Notary ID: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**SECTION IV: IF THE REQUESTOR IS NOT A PARTY TO THE CASE**

**You must certify and sign the following:**

I hereby certify the information sought by this authorization is made on a claimant who is aware I have requested their records.

I am aware of the confidential and privileged nature of an employee’s Workers’ Compensation records, pursuant to La. R.S.23: 1293.

**Requestor’s Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

Sworn and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
Notary Public’s Signature  
Print Name: \_\_\_\_\_  
Notary ID: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**§6747. Request for Waiver of Payment of Advance Costs Form; LW-WC-1160**

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 23:1310.1 & R.S. 23:1293

**HISTORICAL NOTE:** Promulgated by Louisiana Works, Office of Workers’ Compensation Administration, LR 51:1660 (October 2025).

\_\_\_\_\_ \* **DOCKET:** \_\_\_\_\_ **DISTRICT:** \_\_\_\_\_  
**VERSUS** \* **OFFICE OF WORKERS' COMPENSATION**  
 \_\_\_\_\_ \* **STATE OF LOUISIANA**

\*\*\*\*\*

**Request for Waiver of Payment of Advance Costs Form**

**All questions must be answered in full.**

**Note: Questions 2 and 3 should not be filled in if you are seeking protection from abuse.**

**1. Your Full Name:** \_\_\_\_\_  
 Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

**2. Address:** (SEE NOTE ABOVE) \_\_\_\_\_  
 (Box Number or Street Address)  
 \_\_\_\_\_  
 (City and State) (Zip Code)

**3. Telephone Number(s):** (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_  
 (See Note above)

**4. Are you a Student?**  YES  NO If yes, please indicate the name of the school you are attending: \_\_\_\_\_ Enrollment Status: \_\_\_\_\_

**5. Current Household:** (check one)  
 Single:  Married:  Separated:  Divorced:  Widowed:  Intimate partner:   
 How many children do you support who are under 18? \_\_\_\_\_  
 How many children live with you? \_\_\_\_\_ Do you have any other dependents? \_\_\_\_\_

**State the Name, Age, and Relationship to you of the children and dependents:**

NAME	AGE	RELATIONSHIP

**6. What is your current Occupation?** \_\_\_\_\_ **Are you employed?**  YES  NO  
 (If yes, please complete the following **Employer Information**)

Name of Employer: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 (Street Address) (City and State) (Zip Code)  
 Telephone Number: \_\_\_\_\_ How long have you been employed? \_\_\_\_\_

(If you are not employed, please provide information of your **last employer**)

Name of last employer: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 (Street Address) (City and State) (Zip Code)

How long have you been unemployed? \_\_\_\_\_  
 What were your monthly wages? \_\_\_\_\_

**7. Gross Income:** (a) State your gross earned income from wages and check how you are paid:  
 Weekly?  Bi-Weekly?  Monthly?  Amount/month \$ \_\_\_\_\_

(b) Apart from income or support listed in response to question 8(b) below,  
 how much other income do you receive on a monthly basis? \$ \_\_\_\_\_

(c) Monthly Deductions: Federal Income Tax: \$ \_\_\_\_\_ FICA: \$ \_\_\_\_\_ (TOTAL) \$ \_\_\_\_\_

(d) Other deductions: (explain) \_\_\_\_\_

**TOTAL NET MONTHLY INCOME: (Add question 7 (a) + (b) less (c))** \$ \_\_\_\_\_



**8(a).** If you are married and live with a spouse, please answer:

Is your spouse employed? \_\_\_\_\_ What is the occupation of your spouse? \_\_\_\_\_  
 Is your spouse paid Weekly?  Bi-Weekly?  Monthly?  Amount/month \$ \_\_\_\_\_  
 Name of spouse's employer: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 (Street Address) (City and State) (Zip Code)  
 Telephone Number: \_\_\_\_\_ How long has spouse been employed? \_\_\_\_\_

**8(b).** Do you or your spouse receive any of the following income or support?  YES  NO

If yes, state the monthly amount. SSI: \$ \_\_\_\_\_ Disability: \$ \_\_\_\_\_  
 Workers' Comp.: \$ \_\_\_\_\_ Unemployment Benefits: \$ \_\_\_\_\_  
 Food Stamps: \$ \_\_\_\_\_ TANF: \$ \_\_\_\_\_ Child Support: \$ \_\_\_\_\_  
 Spousal Support: \$ \_\_\_\_\_ Kinship Care Subsidy Grant: \$ \_\_\_\_\_ Other: \$ \_\_\_\_\_

**If you are a client of a legal services program funded by the Legal Service Corporation or a Pro Bono Project that receives referrals from a legal services program and have a combined income from questions 7 and 8 that is less than or equal to 125% of the federal poverty level, skip all parts of question 9, and continue with question 10 on the next page.**

**9. Do you own or have an interest in any of the following? (Including community property)**

A.	VALUE OF INTEREST	BALANCE OWED
HOUSE	\$ _____	\$ _____
AUTOMOBILE	\$ _____	\$ _____
TRUCK	\$ _____	\$ _____
WATERCRAFT	\$ _____	\$ _____
LIVESTOCK	\$ _____	\$ _____
MACHINERY	\$ _____	\$ _____
STOCK	\$ _____	\$ _____
BONDS	\$ _____	\$ _____
CERTIFICATES OF DEPOSIT	\$ _____	\$ _____
OTHER IMMOVABLE PROPERTY	Equity \$ _____	Debt \$ _____

DO YOU HAVE A BANK ACCOUNT(S)?  YES  NO Amount in account(s): \$ \_\_\_\_\_  
 \_\_\_ CHECKING \_\_\_ SAVINGS Name and Location of Bank: \_\_\_\_\_  
**TOTAL VALUE OF ASSETS: \$ \_\_\_\_\_**

**B. i. List your Monthly Expenses:**

Rent: \$ _____	Cable: \$ _____	Car Note: \$ _____
Lot Rent: \$ _____	Garbage: \$ _____	Car Insurance: \$ _____
House Note: \$ _____	Medical Insurance: \$ _____	Transportation: \$ _____
House Insurance: \$ _____	Medical Expenses: \$ _____	Food: \$ _____
Gas: \$ _____	Dental Expenses: \$ _____	Barber/ Beauty: \$ _____
Electricity: \$ _____	Prescriptions: \$ _____	Entertainment: \$ _____
Water: \$ _____	Life Insurance: \$ _____	Grooming Supplies: \$ _____
Telephone: \$ _____	Daycare: \$ _____	Garnishment: \$ _____
Property Taxes: \$ _____	Child Support: \$ _____	Other: \$ _____

**Total Amount of section i:** \$ \_\_\_\_\_

**ii. Credit cards:** (List type of card and monthly payment)

Card Name	Monthly Payment
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

**Total Amount of section ii:** \$ \_\_\_\_\_

**iii. Financial Loans:** (List the financial institution and your monthly payment)

Financial Name	Monthly Payment
_____	\$ _____
_____	\$ _____
_____	\$ _____

**Total Amount of section iii:** \$ \_\_\_\_\_

**TOTAL MONTHLY EXPENSES: (Add 9B (i+ii+iii) =Total Monthly Expenses) \$ \_\_\_\_\_**

**10. Does anyone regularly help you pay your expenses?**

YES  NO

(a) If yes, state that person's name and relationship to you.

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

(b) Do you have any additional income or assets that are not shown above?  YES  NO

If you answered yes to either (a) or (b), please explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11. If you have an attorney, what arrangements have you made to pay your attorney's fee? What amount, if any, have you paid? (You are required to answer fully.)**

\_\_\_\_\_  
\_\_\_\_\_

**12. Has your attorney or the Notary Public told you that you may go to jail if you intentionally give a false answer to any of the above questions?**  YES  NO

**MOVER'S AFFIDAVIT**

STATE OF LOUISIANA  
PARISH OF \_\_\_\_\_

BEFORE ME the undersigned authority personally came and appeared:

\_\_\_\_\_  
who, after being duly sworn, deposed and said:

1. He/She provided the information above; that the information is furnished to the court for the purpose of requesting permission to litigate the above captioned lawsuit without paying the costs in advance or as they accrue or furnishing security therefor.
2. That the above information is a true and correct statement of his/her financial condition.
3. That the pleading and all allegations of fact therein are true and correct; and that because of his/her poverty and want of means, he/she is unable to pay the costs of court in advance or as they accrue, nor is he/she able to provide security therefor.
4. He/She has read and understands the privilege contained in the notice below.

**NOTICE**

Although you may be granted the privilege of proceeding without prepayment of costs, **SHOULD JUDGMENT BE RENDERED AGAINST YOU, YOUR STATUS AS A PAUPER DOES NOT RELIEVE YOU OF THE OBLIGATION TO PAY THESE COSTS.**

The privilege to proceed *IN FORMA PAUPERIS* is restricted to litigants who are clearly entitled to do so, with due regard to the nature of the proceeding, the court costs which otherwise would have to be paid, and the ability of the litigant to pay them or to furnish security therefor, so that the indiscriminate filing of lawsuits may be discouraged, without depriving a litigant of the benefit of proceeding *in forma pauperis* if he/she is entitled to do so.

\_\_\_\_\_  
Mover's Signature

SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public in \_\_\_\_\_,  
Louisiana, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

**THIRD PARTY AFFIDAVIT**

**STATE OF LOUISIANA**  
**PARISH OF \_\_\_\_\_**

**BEFORE ME**, personally came and appeared: \_\_\_\_\_,  
who, after being sworn, deposed and said that he/she knows \_\_\_\_\_,  
well and that he/she knows that because of his/her poverty and want of means, he/she is unable  
to pay the costs of court in advance or as they accrue, nor is he/she able to provide bond therefor.

\_\_\_\_\_  
Signature of Witness

SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public in \_\_\_\_\_,  
Louisiana, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
**NOTARY PUBLIC**

**LEGAL SERVICE PROGRAMS' DECLARATION**

**I ATTEST** that I am a duly authorized representative of a Legal Services Program funded  
by the Legal Service Corporation or a Pro Bono Project that receives referrals from one of these  
Legal Service Programs, and that \_\_\_\_\_ has produced evidence  
that he/she receives public assistance benefits, or that he/she has qualified to receive free legal  
services based on his/her income being less than or equal to 125% of the federal poverty level  
and therefore is entitled to a rebuttable presumption that he/she is entitled to the privilege of  
litigating without prior payment of costs.

\_\_\_\_\_  
Legal Services Program or Pro Bono Project Representative

**ORDER**

**Considering the foregoing Pleading and Affidavits:**

let \_\_\_\_\_ prosecute or defend this litigation in accordance  
with La. R.S. 23:1310.11 and Louisiana Code of Civil Procedure, Article 5181, et. seq., without  
paying the costs in advance or as they accrue or furnishing security therefor.

**THUS, READ AND SIGNED**, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, in  
\_\_\_\_\_, Louisiana.

\_\_\_\_\_  
**DISTRICT JUDGE**

**AUTHORITY NOTE:** Promulgated in accordance with R.S.  
23:1310.1 & R.S. 23:1310.11

**HISTORICAL NOTE:** Promulgated by Louisiana Works, Office  
of Workers' Compensation Administration, LR 51:1662 (October  
2025).

Susana Schowen  
Secretary

2510#062

## RULE

### Department of Public Safety and Corrections Corrections Services

#### Disciplinary Rules and Procedures for Adult Inmates (LAC 22:I.341)

In accordance with the provisions of the Administrative Procedures Act (R.S. 49:950), the Department of Public Safety and Corrections, Corrections Services, hereby amends the contents of §341, Disciplinary Rules and Procedures for Adult Inmates.

The Department of Public Safety and Corrections, Corrections Services, revised the Disciplinary Rules and Procedures as a result of a comprehensive review in order to move the conduct prohibited by Rules 31-37 into Rule 30 "General Prohibited Behavior" and to make modifications to the sanctions that can be imposed by the disciplinary board. The revision also includes modifications to the disciplinary hearing procedures and composition of the disciplinary board. This Rule is hereby adopted on the day of promulgation.

#### Title 22

### CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

#### Part 1. Corrections

#### Chapter 3. Adult Services

#### Subchapter B. Disciplinary Rules and Procedures for Adult Inmates

#### §341. Disciplinary Rules and Procedures for Adult Inmates

Editor's Note: This Section contains rules formerly printed in LAC 22:I.341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, and 363.

A. Purpose—this department regulation constitutes the department's *Disciplinary Rules and Procedures for Adult Inmates* as a regulation.

B. Applicability—deputy secretary, chief of operations, regional wardens, wardens, director of probation and parole, director of prison enterprises, sheriffs, and administrators of local jail facilities and transitional work programs. Each unit head shall ensure appropriate unit written policies are in place to comply with the provisions of this regulation.

C. Policy. The secretary's policy is that all inmates and employees shall have reasonable access to and comply with the department's *Disciplinary Rules and Procedures for Adult Inmates*. The *Disciplinary Rules and Procedures for Adult Inmates* are established to provide structure and organization for the state's facilities and a framework within which the inmate population can expect the disciplinary system to function.

1. Revisions shall be accomplished through this regulation under the signature of the secretary.

#### D. Disciplinary Rules and Procedures for Adult Inmates

1. This book of disciplinary rules and procedures constitutes clear and proper notice of sanctions for each inmate sentenced to the Department of Public Safety and Corrections.

2. It is the policy of the Louisiana Department of Public Safety and Corrections to operate a swift and fair disciplinary process that follows constitutional and statutory standards. The *Disciplinary Rules and Procedures for Adult Inmates* establishes a uniform inmate disciplinary process that:

- a. maintains order and control of institutional safety;
  - b. ensures inmates are disciplined fairly;
  - c. ensures constitutional rights are protected;
  - d. modifies inmate behavior in a positive manner;
- and
- e. maintains an official record of an inmate's disciplinary history.

3. The *Disciplinary Rules and Procedures for Adult Inmates* provides structure and organization for the prisons and a framework within which the inmate population can expect the disciplinary system to function. All inmates sentenced to the custody of the Department of Public Safety and Corrections, regardless of their housing facility, shall be placed on notice as to the requirements of the *Disciplinary Rules and Procedures for Adult Inmates* by being provided with a copy of the rulebook. All inmates shall be required to sign for the receipt of the rulebook, and the signed receipt shall be filed in the inmate's master record.

4. The secretary of the Department of Public Safety and Corrections has sole authority to change these rules, regulations, and procedures. Utilization of these procedures does not constitute the granting of any enforceable right or privilege to any inmate.

5. During incarceration, inmates can expect changes to custody level, job classification, housing assignment, institutional assignment, or opportunities to participate in institutional programs or activities. Such changes may result from classification, the imposition of disciplinary penalties, the promotion of legitimate institutional goals, or security concerns. Such changes are not necessarily disciplinary penalties. When the above changes occur as a result of other department regulations and institutional policies, they are not considered penalties in the context of the disciplinary process.

6. In the event of a genuine emergency, such as a serious disturbance disrupting normal operations or a natural disaster, the secretary or designee may suspend any and all disciplinary rules and procedures for the duration of the emergency. Full hearings must be held within a reasonable time after the end of the emergency for those inmates who were subjected to loss of good time or failure to earn incentive wages.

7. Certain procedures described herein may vary when an inmate is housed in a jail facility, including but not limited to: applicability of certain sanctions, appeals processes, availability of counsel substitutes, procedures applicable to reporting infractions, and hearing timelines. Additionally, an inmate housed in a jail facility who violates a rule for which forfeiture of good time is a possible sanction may be temporarily transferred to a state facility for the purpose of conducting a high court hearing; alternatively, the hearing may be conducted remotely utilizing a department-approved telecommunications software. Hearings related to rule violations for which forfeiture of good time is not a possible sanction will be conducted in the jail facility, and the inmate will not be transferred to a state facility for a high court hearing. Variation from the procedures provided herein is not permitted in state facilities.

#### E. Definitions

*Boards*—the following boards, as defined below, shall assist in determining an inmate's custody level and placement.

a. *Classification Board*—a multidisciplinary board(s) within each facility responsible for all inmate classification decisions.

i. A facility classification board shall consist of a minimum of two facility staff members, with those staff members representing each of the following two categories:

(a.) classification, social services, medical/mental health, and

(b.) security (which member shall be of the rank of captain or higher).

ii. All inmates shall be given notice 48 hours prior to their classification reviews and shall be present for those reviews, unless precluded due to security or other substantial concerns, or as a result of a disciplinary board hearing. An inmate may waive in writing the 48-hour notice and/or the right to be present for the review.

b. *Disciplinary Board*—a multidisciplinary board convened to provide a fair and impartial review of an alleged rule violation by an inmate. A disciplinary board determines if an inmate is guilty or is not guilty of an alleged rule violation and determines an appropriate sanction of the disciplinary board determines an inmate in fact is guilty of a rule violation. A properly composed disciplinary board shall consist of two people – one duly authorized and trained chairman and one duly authorized and trained member.

c. *Re-entry Services Team*—a multidisciplinary team comprised of a classification officer, a security officer, a mental health provider, and a transition specialist to assist inmates with their transition to general population or to the community, utilizing an individualized plan and ensuring services are delivered in an effective manner.

d. *Segregation Review Board*—a multidisciplinary team comprised of a classification officer, mental health provider, and a security officer (major or above) to consider and make recommendations as to whether or not an inmate in protective segregation, preventative segregation, or restrictive housing may be moved to a less restrictive setting or remain in restrictive housing.

*Classification*—a process for determining the needs and requirements of those for whom confinement has been ordered and for assigning inmates to housing units, work assignments, and programs according to their needs and existing resources. Classification actions, even if resulting from an incident handled in the disciplinary process, are not disciplinary sanctions.

*Confidential Informant*—person whose identity is not revealed to the accused inmate but who provides an employee with information concerning misbehavior or planned misbehavior.

*Confinement to Dormitory, Room, or Cell*—confinement to one's regularly assigned living quarters with restrictions on out-of-cell privileges such as participation in club meetings, hobby craft, or special events. Ordinarily assigned programming, work, mandatory call outs, and medical or mental health treatment shall not be restricted. Telephone privileges, recreation time, and television privileges are included under this sanction.

*Custody Levels*—see established policies and procedures for information regarding the various custody levels and status review procedures.

*Disciplinary/Sanctions Matrix*—A uniform system of administrative sanctions which may be imposed by the

Department for rule violations, which the matrix takes into consideration the severity of the violation, behavior, and any prior history of violations.

*Extra Duty*—work to be performed in addition to an inmate's regulation job assignment as specified by the proper institutional authority. This work performed without the benefit of incentive wages.

*Incentive Pay*—compensation paid to an inmate in the physical custody of the department and who is eligible to receive incentive wages and has performed satisfactory work in the compensation grade in which he has been classified.

*Posted Policy*—policy memoranda detailing what behavior is required or forbidden of inmates and generally reflecting the needs of the facility. Posted policies must be distributed and posted in such a manner that inmates are placed on notice as to what behavior is required or forbidden and that sanctions may be imposed should the policy be violated.

*Prison Rape Elimination Act of 2003 (PREA)* —federal law enacted to establish a zero-tolerance standard for the incident of sexual assault within an institutional setting. Refer to Disciplinary Rule 21 (Aggravated Sex Offense).

*Sanction*—a disciplinary penalty.

*Segregation*—special management housing whereby an inmate is confined to an individual cell separated from the general population.

*Segregated Housing/Unit*—any housing whereby an inmate lives separate and apart from the general population unit until such time as the segregation review board determines there is no need for further segregation. Segregated housing includes:

a. *Disciplinary Segregation*—a maximum custody housing area, typically a cell, where an inmate is housed for a definitive period of time as a result of a sanction from a disciplinary hearing.

i. *Investigative Segregation*—a maximum custody housing area, typically a cell, where an inmate is held pending the outcome of a disciplinary hearing, pending a classification review board hearing, or pending a transfer to an appropriate housing unit.

ii. *Preventative Segregation*—a maximum custody housing area, preferably a cell, where an inmate's continued presence in general population is a danger to the good order and discipline of the institution and/or whose presence poses a danger to himself, other inmates, staff, or the general public.

iii. *Protective Segregation*—a maximum custody form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety.

(a). Protective segregation consists of three levels:

(i). *Level 1 Protective Segregation*—Level 1 is a lower level of protection assignment and generally made at an inmate's request, but may be originated by staff. A disciplinary or classification review board, depending upon the established facts and circumstances, shall confirm or deny the request and provide written reasons for its decision. All facilities are eligible to house Level 1 inmates in protective segregation.

(ii). *Level 2 Protective Segregation*—Level 2 is based upon the nature of an inmate's crime, prior employment history (for example: former law enforcement,

politician, etc.), age, or other significant protection concerns. Generally, a Level 2 inmate is determined to be unable to live in general population at any facility, but may be considered a candidate for placement in general population at some point in the future. This designation may result in the inmate's assignment to protective segregation at Louisiana State Penitentiary, Elayn Hunt Correctional Center, David Wade Correctional Center, or the Louisiana Correctional Institute for Women.

(iii). *Level 3 Protective Segregation*—Long-term protection concerns usually due to past history of offense or employment (for example, former law enforcement or correctional officer). Generally, the inmate is determined to be unable to live in general population at any facility and is very unlikely to ever be suitable for general population. These inmates are housed in N-5 Protection Unit at David Wade Correctional Center, which is an open cell environment, and the Louisiana Correctional Institute for Women.

iv. *Transitional Segregation*—a maximum custody temporary holding area, preferably a cell, until bed space is available for placement or awaiting a transfer to another institution – transitional segregation may occur in any segregated housing area.

v. *Residential Treatment Housing*—a maximum custody area within a facility where inmates who have a mental health disorder with symptoms that are severe and persistent to the point of interfering with the inmate's ability to behaviorally and cognitively live in a less structured secure environment are admitted for health observation and care under the supervision and direction of health care personnel. Placement in residential treatment housing is reliant on documented orders from a health care practitioner and/or psychiatrist.

vi. *Working Segregation*—a form of maximum custody for a determinate period of time distinguished by access to work and other programs consistent with security restrictions and facility procedures. This type of assignment is used primarily after a disciplinary hearing for an inmate found guilty of violating one or more rules according to established policies and procedures or as part of the step down from a more restrictive housing.

Note: The pronouns "he" and "his" as used herein are for convenience only and are not intended to discriminate against female employees or inmates. Additionally, "employee" as used herein refers not only to an employee of the Department of Public Safety and Corrections, but also to any individual having the authority to exercise supervision over an inmate.

## F. Disciplinary Procedures

1. This rulebook contains the disciplinary rules and procedures for inmates remanded to the state's custody. All inmates are required to obey the rules and regulations. The following outlines the procedures that shall be followed when an inmate violates a rule.

### a. General Procedures

#### i. Reporting infractions

(a). When an employee witnesses or has knowledge of any act by an inmate that is in violation of the rules or posted policies, the employee shall first attempt, if appropriate, to resolve the matter informally. If the violation is observed or brought to the attention of a contract employee, volunteer, or institutional visitor, the incident shall be reported to an employee by the person observing or with knowledge of the behavior. Informal resolution may include counseling, verbal reprimand, or the giving of an instruction, warning, or

order. Information resolution is not appropriate for any offense that poses a risk to the security of the institution such as solicitation of staff to violate a rule or policy, an attempt to establish an inappropriate relationship, or possession of contraband.

(i). If the incident cannot be resolved informally, the employee shall complete a disciplinary report formally charging the inmate with violating a rule. Refer to Section I "Inmate Rules and Violation Descriptions" for additional information.

(ii). The report shall be written by the employee who has reason to believe that an inmate has violated, attempted to violate or conspired to violate one or more disciplinary rules.

[a]. An inmate who intentionally attempts to violate a disciplinary rule, even if he is unsuccessful, may receive a disciplinary report for attempting to break that rule.

[b]. When two or more persons working in combination for the specific purpose of violating any disciplinary rule, they may receive a disciplinary report for conspiring to break that rule.

[c]. The description of an incident may include more than one separate and distinct rule violation. It is appropriate to include more than one rule violation on a single disciplinary report.

(iii). The disciplinary report shall include the following information:

[a][i]. the accused's name, DOC number, housing number and job assignment;

[ii]. the reporting officer's name and title;

[iii]. the offense number;

[iv]. the date and approximate time of the offense; and

[v]. a description of the facts of the offense;

[b]. the description of the facts of the offense shall include the name of all witnesses, the location of the incident, and a full statement of the facts underlying the charges.

[c]. a description of any unusual inmate behavior, any physical evidence and its disposition, and any immediate action taken, including the use of force.

(b). Upon completion of the disciplinary report, the supervisor shall review the information and forward the report and any supporting documentation to the disciplinary office or designated depository for processing.

(c). The warden or his designee, or the shift supervisor, can order immediate removal from general population when it is necessary to protect the inmate or others, or when the inmate is the subject of the investigation. The action must be approved, denied, or modified within 24 hours by an appropriate and higher authority who is not involved in the initial placement.

(d). In instances when an inmate is placed in investigative segregation for disciplinary purposes, the supervisor shall conduct a review of the documentation to ensure it is complete and correct and, as needed, shall investigate to confirm the reasonableness of the allegation or

circumstances prompting the assignment. This review (and investigation if needed) shall be done prior to the conclusion of the supervisor's tour of duty.

(e). Time spent in investigative segregation for the offense shall be credited against segregation or extra duty sentences even when these sanctions are suspended. Credit shall not be given for time spent in investigative segregation based upon a request for protection or while an inmate is awaiting transfer to another area.

(f). Assignment to disciplinary segregation shall be for a determinate period of time with reviews by a multi-disciplinary review board in accordance with established policies and procedures.

(g). Established policies and procedures shall govern the time an inmate may be in segregated housing for rule violations, except to the extent documented reasons and due process review result in the need for continued preventative segregation due to a threat exhibited by an inmate may exist to self, other inmates, or staff.

(h). The applicable review board shall review the status of inmates who are in investigative segregation at least seven days for the first 60 days and thereafter every 30 days.

(i). The segregation review board shall review the status of inmates who are in protective segregation:

[a]. Level 1 protective segregation: at least every seven days for the first 60 days and thereafter at least every 30 days;

[b]. Level 2 protective segregation: every 90 days;

[c]. Level 3 protective segregation: annually.

(j) The applicable review board shall review the status of inmates who are in preventative segregation at least every 60 days.

(k) The applicable review board shall review the status of inmates who are in working segregation at least every 90 days.

#### ii. Notice of Disciplinary Report

(a). Inmates shall be served with notice of charges at least 24 hours prior to the hearing.

(b). Confirmation that the inmate was advised of the charges shall be noted on the original of the disciplinary report by the inmate's signature.

(c). If the inmate refuses to sign the disciplinary report, the delivering officer shall note the refusal in the inmate signature block and initial the box.

#### iii. Counsel and Counsel Substitutes

(a). Counsel is a licensed attorney of the inmate's choice who has been retained by the inmate. Counsel must be obtained within 7 days of receiving the motion granting "deferral for outside counsel."

(b). Counsel substitutes are people not admitted to the practice of law, but who are instead inmates who aid and assist, without cost or fee, an accused inmate in the preparation and presentation of his defense and appeal.

(c). Counsel substitutes are only those inmates appointed by the warden or designee to assist other inmates with their legal claims, including but not limited to, assistance with filing of administrative remedy procedure requests,

disciplinary board appeals, and lost property claims. Counsel substitutes are not required to file disciplinary appeals, but should inform the inmate who wants to appeal of the proper way to file. Counsel substitutes may be removed from their positions if the warden or designee believes is appropriate. Inmates who are not counsel substitutes may not provide services to other inmates without the approval of the warden or designee.

#### G. Disciplinary Hearings and Sanctions

##### 1. Hearing Procedure

a. Hearings shall provide a fair and impartial review conducted by a disciplinary officer or disciplinary board to determine if a rule infraction occurred, if the inmate is guilty or not guilty of the charges, and the appropriate sanction or sanctions.

b. An investigation report may be submitted to the disciplinary board detailing the facts uncovered in an investigation. If the investigation report is used as evidence in the hearing, a copy of the report shall be maintained in the administrative record. In the alternative, the investigator may be called as a witness to present testimony.

c. There are two types of disciplinary hearings: high court and low court. Generally, high court hearings are conducted for Schedule B violations, and low court hearings are conducted for Schedule A violations. See Section I, "Inmate Rules and Violations Descriptions," for the schedule designation applicable to each rule violation.

##### 2. Low Court Hearing with a Disciplinary Officer

a. A hearing conducted by a ranking security officer (lieutenant or above) or any supervisory level employee from an administration or treatment appointed by the warden or designee who conducts hearings of minor violations (Schedule A) and who may impose only designated sanctions.

b. Any disciplinary officer directly involved in the incident or one who is biased for or against the accused cannot hear the case unless the accused waives recusal in writing. Performance of a routine administrative duty does not necessarily constitute direct involvement or bias.

c. At these hearings the accused inmate represents himself and is given full opportunity to speak on his own behalf.

d. Counsel substitutes, witnesses, or the accusing employee are not permitted in the hearing.

e. Low court hearings are not recorded.

f. Hearings shall be held within seven days of the date of the report, excluding weekends and holidays, unless the hearing is prevented by exceptional circumstances, unavoidable delays, or reasonable postponements. Reasons for any delays shall be documented.

##### 3. High Court Hearing with a Disciplinary Board

a. A properly composed board shall consist of two people—one duly authorized and trained chairman and one duly authorized and trained member—each representing a different discipline (security, administration, or treatment). The secretary or designee must approve the chairman, and the warden or designee must approve the member.

b. Hearings shall be held within seven days of the date of the report, excluding weekends and holidays, unless the hearing is prevented by exceptional circumstances, unavoidable delays, or reasonable postponements. Reasons for any delays shall be documented.

c. If the inmate will be transferred to a state correctional facility from a local jail facility for the purpose of conducting the hearing, the inmate shall be brought before the disciplinary board of the local jail facility where the violation occurred and informed of the pending transfer and necessitated delay of the hearing. The date the notice was given shall be documented on the disciplinary report.

d. 72 Hour Rule

i. Any inmate who is placed in investigative segregation for a rule violation shall be afforded a disciplinary hearing within 72 hours of being placed in investigative segregation. Exceptions include official holidays, weekends, genuine emergencies, or for other good cause. The inmate shall be heard at the next available court date. When it is not possible to provide a full hearing within 72 hours of placement, the accused shall be brought before the disciplinary board, informed of the reasons for the delay, and remanded back to investigative segregation or released to his quarters after a date for a full hearing has been set.

ii. The 72 hour rule does not apply to inmates housed in local jail facilities or transitional work programs whose hearings are conducted once they are transferred to a state correctional facility or those who have had their disciplinary hearing conducted at a state correctional facility even if they are not transferred there. Inmates in this status have no expectation of a disciplinary hearing within 72 hours.

iii. The 72 hour rule does not apply to those inmates who are placed in investigative segregation for reasons other than a rule violation. Examples of these classifications include, but are not limited to:

(a) awaiting transfer to another facility or to another housing unit within the facility;

(b). transitional work program, or intake.

iv. For those inmates placed in investigative segregation for a reason other than a rule violation, an initial review shall be conducted by the appropriate board within seven days of the date of the report of placement in investigative segregation. Exceptions include official holidays, weekends, genuine emergencies, or for other good cause. Reasons for all delays shall be documented. This rule does not apply to inmates housed in local jail facilities or transitional work programs whose hearings are conducted once they are transferred to a state correctional facility or those who have had their disciplinary hearing conducted at a state correctional facility even if they are not transferred there.

e. Any member directly involved in the incident or one who is biased for or against the accused shall not hear the case unless the accused waives recusal in writing or verbally on the record.

f. The disciplinary board may hear cases of inmates who signed written requests for protection and may recommend the appropriate action.

4. Conduct of the Hearing—Disciplinary Board

a. Before the hearing may begin, an accused must acknowledge that he is familiar with the inmates rights during the disciplinary process. Refer to Section J “Inmate Rights and Responsibilities” for additional information.

b. All rights and procedures requirements shall be followed unless waived the accused.

c. Disciplinary board hearings shall be recorded in their entirety, and the recording shall be preserved for five years.

d. An inmate who chooses not to be present at the hearing may sign a waiver which shall be read into the record. A counsel substitute shall represent him and enter a not guilty plea. The same applies to a disruptive inmate who refused to cooperate. If the inmate refuses to sign a waiver, a waiver shall be prepared and the refusal noted by two witnesses. In either scenario, the disciplinary chairman shall also sign the waiver.

e. The accused enters his name and DOC number into the record as does his counsel or our counsel substitute, if any, and confirms that he understands his rights. If the inmate indicates he does not know or understand his rights, his rights shall be explained to him.

f. The chairman or designated board member has the option to spell the words they believe to be offensive. Upon the report being read into the record, the chairman shall ask the accused inmate for a plea of “not guilty” or “guilty.” Should the accused inmate attempt to enter an unavailable plea or refuse to enter a plea, the chairman shall enter a plea of “not guilty” before proceeding with the hearing.

g. Preliminary motions shall be raised at the first opportunity or be considered waived and may include:

i. dismissal of the charge or charges;

ii. continuance, but note that inmates are not entitled to a continuance to secure counsel unless they are charged with a violation that is also a crime under state or federal law, and only one continuance will be granted unless new information is produced;

iii. requests to face accuser and call witnesses;

iv. a motion due to lack of 24-hour notice, including any challenges to the waiver of the 24-hour notice rule having not been made in writing;

v. request for investigation;

vi. any other appropriate motions.

h. All motions shall be made at the same time in the proceedings. Subsequent verbal motions shall be denied as having been waived.

i. The board shall deliberate and rule on motions at the time the motion is made, unless expressly deferred to the actual hearing.

j. A summary of motions presented shall be documented with written reasons for each ruling made on the disciplinary court motions available from classification or security staff.

k. After entering a plea and any potential motions, the accused may present his defense.

l. The board may ask questions of the accused, his witnesses or his accuser. During the hearing, the accuser should only be present to testify. The accuser shall never be present during deliberations.

m. The disciplinary board shall carefully evaluate all evidence presented or stipulated.

n. In situations where the disciplinary report is based on a single confidential informant, there must be other evidence to corroborate the violation. That evidence may include, but is not limited to: testimony from another confidential informant, the record, the investigative report, or other evidence. Whenever information is provided by confidential informants, the informant must be certified as having provided reliable information in the past and have personal knowledge of the present incident. If requested, the



accusing employee shall be summoned to testify about the reliability and credibility of the confidential informant when the disciplinary report is based solely on information from confidential informants.

i. All confidential information used in the disciplinary process shall be documented on the confidential informant testimony and certification.

o. The board shall review the information presented during the deliberations.

i. During deliberations, everyone except the board and any official observers shall leave the room; and the board shall decide the case on the basis of the evidence presented at the hearing.

ii. Official observes shall not take part in the hearing or the deliberations.

iii. The disciplinary record of the accused may be examined to discover a pattern of similar misbehavior or to determine if a pending suspended sanction exists.

iv. The disciplinary record may be used to determine the appropriate sanction or sanctions to be imposed.

v. All members of the board shall verbally discuss and render their verdict.

vi. The audio recording will continue throughout the deliberations.

p. Following the deliberations, the chairman shall announce the verdict. A verdict shall require the agreement of both board members. Decisions must be unanimous. If the decision is not unanimous, the case is automatically deferred to a different disciplinary board. If the second decision is not unanimous, then a finding of not guilty is appropriate.

q. A dissenting board member may provide written or oral reasons for their dissent.

r. If the verdict is guilty, the chairman shall then announce the sanction or sanctions.

s. The chairman shall articulate clearly which sanction applies to each specific rule violation for which the inmate was found guilty.

t. The board has full authority to suspend any sanction imposed for a period of up to 90 days.

#### 5. Correcting Disciplinary Reports

a. A reviewing employee may change the rule violation number to fit the description prior to the hearing, but should ensure that the accused receives a corrected copy of the report at least 24 hours before the hearing begins. Additional rule violations may be added if the offense is clearly described on the report. In the event that an additional rule violation is added, the reviewing employee shall ensure that the accused receives a corrected copy of the report including the additional rule violation at least 24 hours before the hearing begins.

b. Before the hearing begins, the board may change the rule number to match the description of the alleged misbehavior, if necessary, and may also change the rule number at any point prior to the deliberations, but the board should offer the accused a continuance to prepare the defense. It is the description of the conduct and not the rule violation number that determines the offense.

c. The continuance may be waived and does not necessarily need to be for 24 hours. This information shall be voiced on the recorder for the record.

#### 6. Sanctions

a. There is an established department-approved uniform system of administrative sanctions which may be imposed upon an inmate for rule violations. The department-approved uniform system of administration sanctions considers the severity of the violation, behavior, and any prior history of similar violations.

b. Sanctions shall be for a determinate period of time which shall be documented.

c. The imposition of sanctions shall be imposed using only the department-approved uniform system of administrative sanctions.

d. The imposition of sanctions, unless waived in writing by the department chief of operations, after consideration of the hearing record, the inmate's conduct record, and any other aggravating circumstance.

e. Any violation of a rule may result in a change in an inmate's custody to a more restrictive level. Changes in an inmate's custody level shall be recommended as a sanction by the disciplinary board and approved by the classification board in accordance with established policies and procedures. Any changes of quarters, job changes or other changes that may result from imposition of this sanction are not a separate penalty for purposes of this section unless expressly indicated as a sanction.

f. In addition to other appropriate sanctions, the disciplinary board may order a job change as a result of any rule violation.

g. An inmate who violates more than one rule or the same rule more than once during an incident may receive a permissible sanction for each violation. For example, an inmate who has established a documented pattern of behavior indicating that he is dangerous to himself or others is a repeat rule violator.

h. Inmates shall be sanctioned for rule violations as a 1st tier unless they commit a second violation within 12 months of the previous violation; at which time, they shall be sanctioned as a 2nd tier and so on until they reach the maximum penalty according to the department-approved uniform system of administrative sanctions.

i. After a finding of guilty for a new violation, a previously-suspended sanction may be imposed as well as a new sanction for the new violation.

j. State and federal criminal laws apply to inmates. In addition to being sanctioned by prison authorities, inmates may also be referred for prosecution in state or federal court for criminal conduct.

k. Restitution may be imposed in accordance with established policies and procedures and may be assessed in addition to any other permissible penalties.

l. An inmate who has received a forfeiture of good time as a result of a disciplinary action shall be eligible to be considered for restoration of previously forfeited good time upon meeting the requirements established policies and procedures.

#### H. Appeals

1. A request for review of a disciplinary decision must follow these procedures.

a. Schedule A/Low Court Appeals to the Disciplinary Board

i. An inmate may appeal a case heard by the disciplinary officer only to the disciplinary board.

ii. As soon as the ruling is issued, the inmate who wants to appeal must clearly say so to the disciplinary officer who will then automatically suspend the sanction and schedule the case for the disciplinary board.

iii. The appeal hearing before the disciplinary board is a full hearing the same as any other hearing conducted by the board. The disciplinary board cannot increase the sanction imposed by the disciplinary officer.

iv. The appeal to the disciplinary board will be the final appeal in a case heard by the disciplinary officer. No other appeals are allowed. The appeal from the disciplinary officer to the disciplinary board will constitute the final administrative remedy regarding the disciplinary decision. Decisions rendered by the disciplinary officer and appealed to the disciplinary board may not be appealed to the warden or secretary.

b. Schedule B/High Court Appeals to the Warden

i. An inmate may appeal a case heard by the disciplinary board. All appeal requests on high court cases shall be made to the warden.

ii. The inmate may appeal himself through counsel or counsel substitute. In any case, the appeal must be received within 15 calendar days of the hearing.

iii. The appeal should be clearly written or typed on the appeal from the disciplinary board template which is available from the inmate's classification officer. If the form is not available, the appeal may be on plain paper but should contain the information called for on the form.

iv. The warden will decide all appeals within 30 calendar days of the date of the receipt of the appeal, and the inmate will be promptly notified in writing of the results unless circumstances warrant an extension of that time period and the inmate is not notified accordingly.

v. Lengthy appeals of disciplinary actions will not be accepted into the appeals process. It is necessary for the inmate to only provide basic factual information regarding his case. Lengthy appeals will be returned to the inmate for summarization. The inmate will have five calendar days from receipt to comply with the instructions and resubmit. It is important to remember that abuse of the system impairs the department's ability to respond legitimate problems in a timely fashion.

c. Appeals to the Secretary

i. An inmate may appeal the decision of the warden to the secretary and must indicate that he is not satisfied in the appropriate box on the appeal decision. The document shall then be submitted to the disciplinary office or designated depository.

ii. The inmate must submit the form within five calendar days of the date of the receipt of the warden's decision. No supplement to the appeal shall be considered.

iii. It is only necessary that the inmate check the box indicating, "I am not satisfied," date, sign, and forward the form to the appropriate person.

iv. An inmate who does not file an appeal to the warden in a timely manner shall relinquish his right to appeal to the secretary.

v. The inmate shall receive an acknowledgement of receipt and date forwarded to the secretary's office.

vi. The institute shall provide a copy of the inmate's original appeal to be attached to the appeal decision template for submission to the secretary. The appeal decision template is available from the inmate's classification officer.

vii. The secretary shall only consider appeals of sanctions from decisions of the warden that resulted in an imposed or suspended sentence of one or more of the following penalties:

- (a). forfeiture of good time;
- (b). a custody change from minimum to medium if it involves transfer to another institution;
- (c). a custody change to maximum;
- (d). failure to earn incentive wages.

viii. In addition, appeals regarding restitution assessments may be submitted to the secretary. The appeal of such assessments must be submitted in accordance with established policies and procedures.

ix. The secretary shall decide all appeals within 85 days of the date of receipt of the appeal, and the inmate shall be promptly notified in writing of the results unless circumstances warrant an extension of that time period and the inmate is notified accordingly. Absent unusual circumstances, the secretary shall only consider review of the sanction imposed of an inmate who pled guilty.

I. Inmate Rules and Violations Descriptions

Rule No.	Rule Name	Description	Maximum Sanction
An inmate found guilty of violating one or more of the rules defined below will be sanctioned according to the penalty schedule designated in the rule and the type of hearing provided.			
After a finding of guilt, the disciplinary officer or the disciplinary board may impose one or two of the penalties below for each violation. The specified penalties below represent the maximum allowable sanction for an offense, and lesser penalties may be imposed as directed by the secretary.			
Suspended Sentences: The disciplinary officer or the disciplinary board may suspend any sanction either imposes for a period of up to 90 days. The period of suspension begins on the date of the issuance of the ruling. When the time period has expired, the report itself remains a part of the record; however, the sanction may no longer be imposed.			
1	Contraband (Schedule B)	No inmate shall have under his immediate control any illicit drugs, any product that could be used to adulterate a urine sample, unauthorized medication, alcoholic beverage, yeast, tattoo machine, tattoo paraphernalia, syringe, any type weapon, cellular phone or component hardware or other electronic communications device, whether operational or not, including but not limited to beepers, pagers, subscriber identity module (SIM) cards, portable memory chips, batteries for these devices, chargers, global satellite system equipment, or any other item not permitted by department regulation or institutional posted policy to be received or possessed or any other item detrimental to the security of the facility.	General <ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 60 days</li> <li>• Loss of minor privilege: Up to 12 weeks</li> <li>• Confinement to dormitory, room or cell: Up to 30 days</li> <li>• Extra duty: Up to 8 days</li> <li>• Forfeiture of good time: Up to 90 days</li> </ul>

Rule No.	Rule Name	Description	Maximum Sanction
		<p>No inmate shall disassemble or otherwise alter an electronic tablet, including its software or hardware, and shall preserve the tablet in its original condition.</p> <p>Any item not being used for the purpose for which it was intended will be considered contraband if it is being used in a manner that is clearly detrimental to the security of the facility.</p> <p>Money is contraband.</p> <p>Cigarettes or other smoking materials are considered contraband.</p> <p>To smuggle or attempt to smuggle prohibited items into or out of the facility will be in violation of this rule.</p> <p>The area of immediate control is an inmate's person, his locker or storage area, his cell, his room, his bed, his laundry bag, his hobby craft and his assigned job equipment (such as, but not limited to, his desk, his tool box, or his locker at the job) or the area under his bed on the floor unless the evidence clearly indicated that it belonged to another inmate.</p> <p>Contraband found in a common area cell shared by two or more inmates will be presumed to belong to all of them equally.</p> <p>Any inmate who is tested and has a positive reading on a urinalysis or breathalyzer test will be considered in violation of this rule. An inmate who refuses to be tested or to cooperate in testing, as well as an inmate who alters his urine specimen, will also be found in violation of this rule. Inmates unable to provide a urine specimen within three hours of being ordered to do so shall also be deemed to be in violation of this rule.</p> <p>Any sketch, painting, drawing, or other pictorial rendering produced in whole or in part by a death row inmate, unless authorized by the warden of the institution, is also considered in violation of this rule.</p>	<ul style="list-style-type: none"> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of hobby craft: Up to 12 months</li> <li>• Loss of visiting privileges: Up to 90 days</li> </ul> <p>Weapon</p> <ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 180 days</li> <li>• Forfeiture of good time: Up to 180 days</li> </ul> <ul style="list-style-type: none"> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of visiting privileges: Up to 90 days</li> <li>• Loss of hobby craft: Up to 12 months</li> </ul> <p>Cell Phone</p> <ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 180 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of visiting privileges: Up to 90 days</li> </ul> <p>Drugs</p> <ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 180 days</li> <li>• Forfeiture of good time: Up to 180 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of visiting privileges: Up to 90 days</li> </ul> <p>Monetary Related</p> <ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 180 days</li> <li>• Forfeiture of good time: Up to 180 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of visiting privileges: Up to 90 days</li> </ul>
2	Unauthorized Items (Schedule A)	An inmate shall not have in his possession any item, object, or thing impermissible under prison and rules procedures. Said item, object, or thing shall not be considered a threat to the safety or security of the institution	<p>All</p> <ul style="list-style-type: none"> <li>• Loss of Minor Privileges up to 12 weeks</li> <li>• Reprimand: At the discretion of the board</li> <li>• Loss of electronic media player/TV: Up to 14 days</li> <li>• Extra duty: Up to 4 days</li> <li>• Loss of canteen privileges: Up to 14 days</li> <li>• Loss of telephone privileges: Up to 14 days</li> <li>• Confinement to dormitory, room or cell: Up to 14 days</li> <li>• Failure to earn incentive wages: Up to 3 weeks</li> <li>• Loss of yard or recreation activities: Up to 14 days</li> <li>• Loss of other minor privileges: Up to 14 days</li> </ul>
3	Defiance (Schedule B)	<p>No inmate shall commit or attempt to commit bodily harm upon another person. This includes throwing any object, water or any other liquid or substance, feces, urine, blood, saliva or any form of human waste, or spitting or attempting to spit on another person.</p> <p>No inmate shall curse, insult, or threaten another person in any manner. This prohibited conduct includes abusive or insulting conversation, correspondence, phone calls, or gestures by an inmate.</p> <p>Further, no inmate shall obstruct, resist, distract, or attempt to elude staff in the performance of their duties. Nor shall an inmate intimidate or attempt to intimidate staff to manipulate staff's actions.</p>	<p>3A &amp; 3B</p> <ul style="list-style-type: none"> <li>• Loss of minor privilege: Up to 12 weeks</li> <li>• Confinement to dormitory, room or cell: Up to 30 days</li> <li>• Extra duty: Up to 8 days</li> <li>• Disciplinary segregation: Up to 20 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> </ul>

Rule No.	Rule Name	Description	Maximum Sanction
		This rule does not prohibit an inmate from advising staff of planned legal redress even during a confrontational situation; however, an inmate's behavior in such a situation shall not be disrespectful or violate any other disciplinary rule.	<ul style="list-style-type: none"> <li>• Loss of hobby craft: Up to 12 months</li> <li>• Loss of visiting privileges: Up to 90 days</li> <li>3C (Battery of a CSO) <ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 180 days</li> </ul> </li> <li>• Forfeiture of good time: Up to 180 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of Minor Privileges up to 12 weeks</li> <li>• Loss of Visiting Privileges up to 90 days</li> </ul>
4	Disobedience (Schedule A)	Inmates must obey the posted policies for the facility in which they are confined. They must obey signs or other notices of restricted activities in certain areas, safety rules, or other general instructions. The only valid defense for disobedience or aggravated disobedience is when the immediate result of obedience would be bodily injury. This defense includes incapacity by virtue of a certified medical reason.	<ul style="list-style-type: none"> <li>• Reprimand: At the discretion of the board</li> <li>• Loss of electronic media player/TV: Up to 14 days</li> <li>• Extra duty: Up to 4 days</li> <li>• Loss of canteen privileges: Up to 14 days</li> <li>• Loss of telephone privileges: Up to 14 days</li> <li>• Confinement to dormitory, room or cell: Up to 14 days</li> </ul>
5	Disobedience, Aggravated (Schedule B)	Inmates must obey direct verbal orders cooperatively and promptly and not debate, argue, or ignore orders before obeying. The last order received must be obeyed when orders conflict. Even orders the inmate believes improper must be obeyed, and grievances must be pursued through proper channels. Sanctions imposed by the disciplinary officer or the disciplinary board are to be carried out by the inmate. Violations of duty status shall be punishable under this rule as willful violation of an order from the disciplinary board. The only valid defense for disobedience or aggravated disobedience is when the immediate result of obedience would be bodily injury. This defense includes incapacity by virtue of a certified medical reason.	<ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 60 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
6	Disorderly Conduct (Schedule A)	All boisterous behavior is forbidden. This includes, but is not limited to, horseplay, rowdy, or unruly conduct. Inmates shall not jump ahead or cut into lines at the canteen, recreational activities, dining or kitchen area, or during group movements of inmates. Visitors and guests shall be treated courteously and shall not be subjected to disorderly or intrusive conduct. Inmates shall not communicate verbally into or out of cellblocks or other housing areas.	<ul style="list-style-type: none"> <li>• Reprimand: At the discretion of the board</li> <li>• Loss of electronic media player/TV: Up to 14 days</li> <li>• Extra duty: Up to 4 days</li> <li>• Loss of canteen privileges: Up to 14 days</li> <li>• Loss of telephone privileges: Up to 14 days</li> <li>• Confinement to dormitory, room or cell: Up to 14 days</li> </ul>
7	Disrespect (Schedule A)	Employees, visitors, guests, or their families shall not be subject to disrespectful conversation, correspondence, phone call, actions, or gestures. Inmates shall address employees, visitors, guests or their families by proper title or rank or by "Mr.," "Mrs.," or "Miss," whichever is appropriate.	<ul style="list-style-type: none"> <li>• Reprimand: At the discretion of the board</li> <li>• Loss of electronic media player/TV: Up to 14 days</li> <li>• Extra duty: Up to 4 days</li> <li>• Loss of canteen privileges: Up to 14 days</li> <li>• Loss of telephone privileges: Up to 14 days</li> <li>• Confinement to dormitory, room or cell: Up to 14 days</li> </ul>
8	Escape or Attempt to Escape (Schedule B)	<p>Note: All costs associated with an escape may be recovered through the appropriate imposition of restitution procedures.</p> <p>A. Attempted Escape: The attempt to commit a simple or aggravated escape as defined herein.</p> <p>B. Simple Escape: The intentional, unauthorized departure of an inmate under circumstances in which human life was not endangered, including but not limited to: from the grounds of an institution, a designated area or place within an institution, the custody of a corrections' employee while off the grounds of an institution or the custody of any law enforcement officer; the departure of a transitional work program inmate from the designated area where he is legally</p>	<p>Attempted Escape</p> <ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 180 days</li> <li>• Forfeiture of good time: Up to maximum of all good time earned on the portion of the sentence served prior to the escape</li> <li>• Failure to earn incentive wages: Up to 12 months</li> </ul> <p>Simple Escape</p> <ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 180 days</li> </ul>

Rule No.	Rule Name	Description	Maximum Sanction
		<p>confined; the failure of an inmate participating in a transitional work program to report or return from his planned employment or other activity at the appointed time, or who leaves the job site or any other location where he is approved and expected to be for any reason without permission. This includes leaving without authorization from any penal and correctional facility, community rehabilitation center, transitional work program, hospital, clinic, and any and all programs where inmates are legally assigned.</p> <p>C. Aggravated Escape: The intentional, unauthorized departure of an inmate under circumstances in which human life was endangered, including but not limited to: from the grounds of an institution, a designed area or place within an institution, the custody of a corrections' employee while off the grounds of an institution or the custody of any law enforcement officer; the departure of a transitional work program inmate from the designated area where he is legally confined; the failure of an inmate participating in a transitional work program to report or return from his planned employment or other activity at the appointed time, or who leaves the job site or any other location where he is approved and expected to be for any reason without permission. This includes leaving without authorization from an penal and correctional facility, community rehabilitation center, transitional work program, hospital, clinic, and any and all programs where inmates are legally assigned. For the purpose of this rule, the commission of a crime while on escape status constitutes aggravated escape.</p>	<ul style="list-style-type: none"> <li>• Forfeiture of good time: Up to maximum of all good time earned on the portion of the sentence served prior to the escape.</li> <li>• Failure to earn incentive wages: Up to 12 months</li> </ul> <p>Aggravated Escape</p> <ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 180 days</li> <li>• Forfeiture of good time: Up to maximum of all good time earned on the portion of the sentence served prior to the escape</li> <li>• Failure to earn incentive wages: Up to 12 months</li> </ul> <p>All</p> <ul style="list-style-type: none"> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
9	Rescinded		
10	Fighting (Schedule B)	<p>Hostile physical contact or attempted physical contact is not permitted. This includes fist fighting, shoving, wrestling, kicking, horseplay and other such behavior. Contact does not necessarily have to be made for this rule to be violated.</p> <p>Self-defense clarification: Self-defense is a complete defense and can be established to the board by the inmate demonstrating that his actions did not exceed those necessary to protect himself from injury.</p>	<ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 30 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of hobby craft: Up to 12 months</li> <li>• Loss of visiting privileges: Up to 90 days</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
11	Fighting, Aggravated (Schedule B)	<p>Inmates shall not fight with each other using any object as a weapon (including any liquid or solid substances thrown or otherwise projected on or at another person). When two or more inmates attack another inmate without using weapons, the attackers are in violation of this rule, as are all participants in a group or gang fight. The use of teeth or feet, including kicking and stomping, will also be sufficient to constitute a violation of this rule. No inmate shall intentionally inflict serious injury or death upon another inmate. Contact does not necessarily have to be made for this rule to be violated.</p> <p>Self-defense clarification: (Refer to clarification under rule no. 10).</p>	<ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 180 days</li> <li>• Forfeiture of good time: Up to 180 days or all good time earned on the portion of the sentence served if the incident results in the death of another inmate.</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of Hobby Craft up to 12 months</li> <li>• Loss of Visiting Privileges up to 90 days</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
12	Gambling (Schedule B)	<p>No inmate shall operate or participate in any game of chance involving bets or wagers or goods or other valuables. Possession of one or more gambling tickets or stubs for football or any other sport is a violation. No inmate shall operate a book-making scheme.</p> <p>Possession of gambling sheets with a list of names or codes, point spreads, how much owed, or how much wagered will be considered a violation.</p>	<ul style="list-style-type: none"> <li>• Disciplinary Segregation: Up to 20 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of Hobby Craft: Up to 12 months</li> <li>• Loss of Visiting Privileges: Up to 90 days</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
13	Rescinded		
14	Intoxication (Schedule B)	<p>No inmate shall be under the influence of any intoxicating substance while in physical custody. Evidence of intoxication may include, but is not limited to, redness in eyes, slurred speech, odor of alcohol, elation, unsteady gait, boisterous behavior, being amused for no apparent reason, hysteria, being in a stupor, daze, or trance.</p>	<ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 60 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
15	Rescinded		
16	Rescinded		
17	Property Destruction (Schedule B)	<p>No inmate shall destroy the property of others or of the state. No inmate shall alter his own property when the result of such alteration is to render the article unsuitable according</p>	<ul style="list-style-type: none"> <li>• Disciplinary segregation: Up to 60 days</li> </ul>

Rule No.	Rule Name	Description	Maximum Sanction
		to property guidelines. Flooding an area and the shaking of doors or “racking down” are not permitted. Standing or sitting on face bowls is a violation. Whether or not the inmate intended to destroy the property and the degree of negligence involved may be utilized in defense of the charge.	<ul style="list-style-type: none"> <li>Loss of minor privilege: Up to 12 weeks</li> <li>Confinement to dormitory, room, or cell: Up to 30 days</li> <li>Extra duty: Up to 8 days</li> <li>Forfeiture of good time: Up to 90 days</li> <li>Failure to earn incentive wages: Up to 12 months</li> <li>Loss of hobby craft: Up to 12 months</li> <li>Loss of visiting privileges: Up to 90 days</li> </ul>
18	Rescinded		
19	Self-Mutilation (Schedule B)	<p>No inmate shall deliberately inflict or attempt to inflict injury upon himself or upon another consenting inmate or consent to have an injury inflicted upon him. Tattoos, piercing of any parts of the body, branding, scarring, and alterations to teeth are specifically included in this rule.</p> <p>Clear and obvious suicide, attempted suicide, or self-harm related to mental distress shall not be considered a violation of this rule.</p>	<ul style="list-style-type: none"> <li>Loss of minor privilege: Up to 12 weeks</li> <li>Confinement to dormitory, room or cell: Up to 30 days</li> <li>Disciplinary Segregation: Up to 30 days</li> <li>Extra duty: Up to 8 days</li> <li>Forfeiture of good time: Up to 90 days</li> <li>Failure to earn incentive wages: Up to 12 months</li> <li>Loss of hobby craft: Up to 12 months</li> <li>Loss of visiting privileges: Up to 90 days</li> </ul>
20	Rescinded		
21	Sex Offenses, Aggravated (Schedule B)	<p>Nonconsensual or consensual sexual acts involving inmate-on-inmate, inmate-on-staff, or non-incarcerated person is strictly prohibited. Contact by any inmate of any person without the person’s consent or of a person who is unable to consent or refuse through coercion is strictly prohibited. There can be no consensual sex in a custodial or supervisory relationship. The following sexual behaviors are prohibited and the provisions of department regulation no. OP-A-15 (Prison Rape Elimination Act) shall be followed for all allegations of a violation of Subparts A, B, C, and D.</p> <p>A. Nonconsensual Sexual Act (inmate-on-inmate): Contact between the penis and the vagina and the anus including penetration, however slight; contact between the mouth and the penis, vagina, anus, groin, breast, inner thigh or buttocks; penetration of the anal and/or genital opening of another inmate by a hand, finger, or other object. No inmate shall sexually harass another inmate by force or threat of force.</p> <p>B. Abusive Sexual Contact (inmate-on-inmate): Contact such as, but not limited to, intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, buttocks, or mouth of any person. No inmate shall sexually assault another inmate by force or threat of force.</p> <p>C. Sexual Misconduct (inmate-on-inmate): Contact or attempted contact between the penis and the vagina or the penis and the anus including penetration or attempted penetration, however slight; contact or attempted contact between the mouth and the penis, vagina, or anus; penetration or attempted penetration of the anal or genital opening of another inmate by a hand, finger or other object; carnal copulation by two or more inmates with each other, or by one or more inmates with an implement or animal; two or more inmates who have clearly been interrupted immediately before or after carnal copulation. Use of the genital organs of one of the inmates is sufficient to constitute the offense. Inmates may not participate in any sexual activity with each other.</p> <p>D. Sexual Misconduct (inmate-on-staff or non-incarcerated person): Contact or attempted contact between the penis and the vagina or the penis and the anus including penetration or attempted penetration, however slight; contact or attempted contact of the mouth and the penis, vagina or anus; penetration or attempted penetration of the anal or genital opening of another person by a hand, finger, or other object; two or more persons who have clearly been interrupted immediately before or after carnal copulation. Inmates may</p>	<p>A</p> <ul style="list-style-type: none"> <li>Disciplinary segregation: Up to 180 days</li> <li>Forfeiture of good time: Up to 90 days</li> <li>Failure to earn incentive wages: Up to 12 months</li> </ul> <p>B</p> <ul style="list-style-type: none"> <li>Disciplinary segregation: Up to 90 days</li> <li>Forfeiture of good time: Up to 90 days</li> <li>Failure to earn incentive wages: Up to 12 months</li> </ul> <p>C</p> <ul style="list-style-type: none"> <li>Disciplinary segregation: Up to 90 days</li> <li>Forfeiture of good time: Up to 90 days</li> <li>Failure to earn incentive wages: Up to 12 months</li> </ul> <p>D</p> <ul style="list-style-type: none"> <li>Disciplinary segregation: Up to 90 days</li> <li>Forfeiture of good time: Up to 90 days</li> <li>Failure to earn incentive wages: Up to 12 months</li> </ul> <p>E, F, G</p> <ul style="list-style-type: none"> <li>Disciplinary segregation: Up to 90 days</li> <li>Forfeiture of good time: Up to 90 days</li> <li>Failure to earn incentive wages: Up to 12 months</li> </ul> <p>All</p> <ul style="list-style-type: none"> <li>Loss of Minor Privileges: Up to 12 weeks</li> </ul>

Rule No.	Rule Name	Description	Maximum Sanction
		<p>not participate in any sexual activity with staff or non-incarcerated persons.</p> <p>E. Obscenity: No inmate shall intentionally expose the genital organs or masturbate in view of staff or non-incarcerated persons.</p> <p>F. Other Prohibited Sexual Behavior (inmate- on-inmate, inmate-on-staff or non-incarcerated person): No inmate shall make sexual remarks, gestures, or sounds; flirt; exchange personal items or make sexual threats in conversation by correspondence or telephone.</p> <p>G. Overt display of affection in a manner that may elicit sexual arousal with anyone is prohibited.</p>	
22	Theft (Schedule B)	<p>No inmate shall steal from anyone.</p> <p>Fraud or the deliberate misrepresentation of fact to secure material return, special favors, or considerations is also a form of theft.</p> <p>An inmate who knowingly submits clear and obvious false information to any employee within the Department of Public Safety and Corrections is guilty of this violation.</p> <p>No inmate shall have stolen items under his immediate control. No inmate shall have institutional property – including food – under his immediate control unless he has specific permission. (Refer to rule no. 1 for the definition of “area of immediate control”).</p>	<ul style="list-style-type: none"> <li>• Confinement to dormitory, room or cell: Up to 30 days</li> <li>• Extra duty: Up to 8 days</li> <li>• Disciplinary segregation: Up to 90 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of hobby craft: Up to 12 months</li> <li>• Loss of visiting: Up to 90 days</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
23	Forgery (Schedule B)	<p>Forgery, which is a form of theft, is the unauthorized altering or signing of a document to secure material return or special favors or considerations. The very act of forgery will constitute proof of the crime. The forgery need not have been successful in its conclusion.</p>	<ul style="list-style-type: none"> <li>• Confinement to dormitory, room or cell: Up to 30 days</li> <li>• Extra duty: Up to 8 days</li> <li>• Disciplinary segregation: Up to 90 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of hobby craft: Up to 12 months</li> <li>• Loss of visiting: Up to 90 days</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
24	Unauthorized Area (Schedule B)	<p>An inmate must be in the area in which he is authorized to be at that particular time and date, or he is in an unauthorized area. No inmate shall go into any housing unit other than that to which he is assigned unless he has permission. This includes standing in the doorway.</p>	<ul style="list-style-type: none"> <li>• Confinement to dormitory, room or cell: Up to 30 days</li> <li>• Extra duty: Up to 8 days</li> <li>• Disciplinary segregation: Up to 90 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
25	Rescinded		
26	Unsanitary Practices (Schedule A)	<p>Inmates must maintain themselves, their clothing, and their shoes in as presentable a condition as possible under prevailing circumstances. Each inmate is responsible for keeping his bed and bed area reasonably clean, neat, and sanitary. Beds will be made according to the approved posted policy at the facility. Inmates must wear shoes or boots and cannot wear shirts that leave the armpits exposed or shorts into the kitchen or dining area. Chewing gum in the kitchen or dining area is prohibited.</p>	<ul style="list-style-type: none"> <li>• Reprimand: At the discretion of the board</li> <li>• Loss of electronic media player/TV: Up to 14 days</li> <li>• Extra duty: Up to 4 days</li> <li>• Loss of canteen privileges: Up to 14 days</li> <li>• Loss of telephone privileges: Up to 14 days</li> <li>• Confinement to dormitory, room or cell: Up to 14 days</li> </ul>
27	Work Offenses (Schedule A)	<p>Inmates must perform their assigned tasks with reasonable speed and efficiency. Though inmates have specific job assignments, it may be required that they do work other than what their job assignments require. This work shall also be done cooperatively and with reasonable speed and efficiency. Being present, but failing to answer at the proper</p>	<ul style="list-style-type: none"> <li>• Reprimand: At the discretion of the board</li> <li>• Loss of electronic media player/TV: Up to 14 days</li> </ul>

Rule No.	Rule Name	Description	Maximum Sanction
		time during work roll call is a violation. A school assignment is considered to be a work assignment for the purpose of this rule.	<ul style="list-style-type: none"> <li>• Extra duty: Up to 4 days</li> <li>• Loss of canteen privileges: Up to 14 days</li> <li>• Loss of telephone privileges: Up to 14 days</li> <li>• Confinement to dormitory, room or cell: Up to 14 days</li> </ul>
28	Work Offenses, Aggravated (Schedule B)	An inmate who refuses to work or to go out to work or who asks to go to segregation rather than work, or otherwise participates in or advocates a work stoppage, is in violation of this rule, as is an inmate who disobeys repeated instructions as to how to perform his work assignment. Hiding out from work or leaving the work area without permission is a violation. Falling far short of fulfilling reasonable work quotas is not permitted. Being absent or late for work roll call without a valid excuse such as a no duty status or callout is a violation, as is not reporting for extra duty assignment. Being late to work or to school assignment is a violation. A school assignment is considered to be a work assignment for the purposes of this rule.	<ul style="list-style-type: none"> <li>• Confinement to dormitory, room or cell: Up to 30 days</li> <li>• Extra duty: Up to 8 days</li> <li>• Disciplinary segregation: Up to 180 days</li> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of hobby craft: Up to 12 months</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
29	Disturbance (Schedule B)	No inmate shall create or participate in a disturbance. No inmate shall incite any other person to create or participate in a disturbance. A disturbance is defined as two or more inmates involving acts of force or violence toward persons or property or acts of resistance to the lawful authority of correctional officers or other law enforcement officers under circumstances which present a threat of injury to persons, property, or to the security and good order of the institution.	<ul style="list-style-type: none"> <li>• Forfeiture of good time: Up to 90 days</li> <li>• Disciplinary segregation: Up to 180 days</li> <li>• Failure to earn incentive wages: Up to 12 months</li> <li>• Loss of hobby craft: Up to 12 months</li> <li>• Loss of Minor Privileges up to 12 weeks</li> </ul>
30	General Prohibited Behaviors (Schedule A)	<p>The following behaviors, which may impair or threaten the security or stability of the unit or wellbeing of an employee, visitor, guest, inmate or their families, are prohibited:</p> <p>a. Strong-arming or using threats of violence or perceived harm or reprisal to secure gain or favor for oneself or others;</p> <p>b. Threatening, planning, conspiring, or attempting to commit a violation of the rules of behavior for adult inmates or state and federal laws; aiding or abetting another inmate involved in committing a violation of the rules or state and federal laws;</p> <p>c. Engaging in or making an attempt to engage in a non-professional relationship with an employee, visitor, guest, their families, or other person the inmate may come in contact with while incarcerated;</p> <p>d. Trafficking in drugs or alcohol, stolen goods, or sexual favors;</p> <p>e. Organizing or participating in a scam or similar behavior;</p> <p>f. Making unsolicited contact or attempted contact with the victims of the inmate's criminal activity or any immediate family member of the victim.</p> <p>g. Bribing, influencing or coercing anyone to violate institutional policies, procedures, rules or state and federal laws or to attempt to do so;</p> <p>h. Giving any employee anything of value;</p> <p>i. Harassing behaviors conducted via telephone, correspondence or during other activities;</p> <p>j. The communication of statements or information known to be malicious, frivolous, false or inflammatory, the purpose of which is reasonably intended to harm, embarrass, or intimidate an employee, visitor, guest, or their families may be subject to all Schedule B penalties except for forfeiture of good time or loss of incentive wages; (This rule shall not apply to information or statements communicated for the express purpose of obtaining legal assistance.)</p> <p>k. Using telephones, computers or office equipment</p>	<ul style="list-style-type: none"> <li>• Loss of Minor Privileges up to 12 weeks</li> <li>• Confinement to dormitory, room or cell: up to 30 days</li> <li>• Extra Duty: Up to 8 days</li> <li>• Disciplinary Segregation: Up to 180 days</li> <li>• Forfeiture of Good Time: Up to 90 days</li> <li>• Failure to Earn Incentive Wages: Up to 12 months</li> <li>• Loss of hobby craft: up to 12 months</li> </ul>



Rule No.	Rule Name	Description	Maximum Sanction
		<p>without approval;</p> <p>l Purchasing or trading for inmate services or performing legal work for another inmate or being in possession of another inmate's legal work when not assigned as Counsel Substitute or when not approved by the Warden. It is also a violation for any inmate to give or receive anything of value relative to the provision of paralegal services, and an inmate may not perform or be in possession of staff legal work;</p> <p>m. Communicating or visiting with outsiders when not approved or communicating or visiting with any person after being given instructions not to communicate or visit with that person;</p> <p>n. Participate in organizing or advocating a work stoppage;</p> <p>o. Making or attempting to make credit purchases;</p> <p>p. Abusing any of the DOC administrative grievance processes;</p> <p>q. Belonging to a gang, advocating membership in a gang, or participating in any gang related activities, including any form of gang or group identification or signaling;</p> <p>r. Misrepresenting oneself to an employee, visitor, guest, or the public;</p> <p>s. Starting, causing, assisting in the creation of any fire, heat, or spark of any nature by any means or methods, or attempting to start a fire or attempting to heat substances utilizing electrical or mechanical devices or any other means, other than in the performance of an approved work assignment;</p> <p>t. Failing to cooperative with an investigation;</p> <p>u. Any behavior not specifically enumerated herein hat may impair or threaten the security or stability of the unity or well-being of an employee, visitor, guest, inmate or their families may still be the subject or a Disciplinary Report and all Schedule B penalties except for forfeiture of good time or loss of incentive wages;</p> <p>v. Establishing or maintaining an account on any Internet-based social networking website, as well as unauthorized access to any Internet or Intranet Network; however, this shall not include social media accounts maintained by an outside third party on behalf of the inmate.</p>	

**J. Inmate Rights and Responsibilities**

1. the right to be given a written copy of the disciplinary report at least 24 hours before the hearing. The disciplinary report shall describe the contents of the charges against the inmate. The inmate may waive this right in writing;

2. the right to a hearing within 72 hours of placement in segregation for a rule violation;

Note: See Section G. Disciplinary Hearings and Sanctions, Section 3(d) for specific instructions regarding the 72 Hour Rule.

3. the right to counsel substitute for all alleged violations and the right to outside retained counsel, if the alleged violation is one for which the inmate could also be charged in criminal court. Counsel must be obtained within 7 days of receiving the motion granting "deferral for outside counsel."

4. the right to not be compelled to incriminate himself.

5. the right to present evidence and witnesses on his behalf and to request cross-examination of the accuser provided such request is relevant, not repetitious, not unduly burdensome to the institution, and not unduly hazardous to

staff or inmate safety. The board has the option of stipulating to expected testimony from witnesses. In such cases, the record of the hearing shall contain a statement indicating the nature of the stipulated testimony. The board should assign proper weight to such testimony as though the witness had actually appeared. The accusing employee must be summoned when the report is based solely on information from confidential informants, if such motion is raised;

6. the right to an unbiased hearing. Any chairman or member directly involved in the incident, who is biased for or against the accused, or who is in a therapeutic relationship with the inmate that would be jeopardized by the therapist's presence on the disciplinary board cannot hear the case unless the accused waives recusal in writing or verbally on the record. Performance of a routine administrative duty does not necessarily constitute direct involvement or bias;

7. the right to enter a separate plea to each rule violation for which he is charged;

8. the right to a written summary of the evidence and reasons for the judgment, including reasons for the sanction imposed, when the accused entered a plea of not guilty and

was found guilty by the disciplinary board. The convicted inmate shall be given or sent a written summary;

9. the right to appeal the decision consistent with the appropriate appeal procedure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:823, *Wolff v. McDonnell*, 94 S.Ct. 2963 (1974), *Ralph v. Dees*, C.A. 71-94, USDC (Md. La.) and *Sandin v. Conner*, 115 S.Ct. 2293 (1995).

HISTORICAL NOTE: Promulgated by the Department of Corrections, Office of Adult Services, LR 27:413 (March 2001), amended by the Department of Public Safety and Corrections, Corrections Services, LR 34:2194 (October 2008), LR 39:3309 (December 2013), LR 40:1010 (May 2014), repromulgated LR 40:1104 (June 2014), amended LR 50:1650 (November 2024), amended LR 51:1667 (October 2025).

Adrienne Aucoin  
General Counsel

2510#021

## RULE

### Department of Public Safety and Corrections Corrections Services

#### Searches of Visitors (LAC 22:I.303)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), the Department of Public Safety and Corrections, Corrections Services, hereby amends the contents of Section 303, Searches of Visitors.

The Department of Public Safety and Corrections, Corrections Services, has amended search definitions, changed terminology from institution or unit to facility, offender to inmate, same sex to biological sex, other minor changes, and changed the name of the secretary of the Department of Public Safety and Corrections. This Rule is hereby adopted on the day of promulgation.

#### Title 22

### CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

#### Part I. Corrections

#### Chapter 3. Adult Services

#### Subchapter A. General

#### §303. Searches of Visitors

A. Purpose. To establish the secretary's policy regarding searches of visitors at state correctional facilities and to set forth the procedures to be followed when searching visitors.

B. Applicability. Deputy Secretary, Chief of Operations, Assistant Secretary, Regional Wardens and Wardens. Each warden is responsible for ensuring that appropriate facility written policy and procedures are in place to comply with the provisions of this regulation and for implementing and notifying all affected persons of its contents.

C. Policy. The United States and Louisiana Constitutions prohibit unreasonable searches. Pursuant to R.S. 14:402, it is a crime to bring contraband into a correctional facility. Therefore, it is the secretary's policy to respect the prohibition against unreasonable searches while acting in the public interest to halt the flow of contraband into correctional facilities under the jurisdiction of the department through implementation of a policy regarding visitor searches. Such searches shall be conducted in a professional manner that minimizes indignity to the visitor while still accomplishing

the objective of the search. Only staff trained in effective search techniques shall conduct searches.

#### D. Definitions

*He/His*—pronouns which include both male and female unless specifically stated otherwise.

*Health Care Professional*—staff who perform clinical duties, such as health care practitioners, nurses, licensed professional counselors, social workers, and emergency medical technicians in accordance with each health care professional's scope of training and applicable licensing, registration, certification, and regulatory requirements.

*Facility Grounds*—any tract of land owned by the state, which is under the control of the Department of Public Safety and Corrections, Corrections Services.

Note: Parking lots are also part of the facility grounds whether fenced or not.

*Official Facility Guest*—includes, but is not limited to: law enforcement officers; employees of the department who are based at headquarters or other facilities; elected officials; approved news media representatives; members of the Parole Board and the Pardon Board; judges; magistrates; commissioners of the Nineteenth Judicial District Court and court reporters who accompany them; civil service referees and other facility guests as designated by the warden. (It is anticipated that official facility guests would primarily be under staff escort or observation while on facility grounds.)

#### *Personal Searches*—

a. *Property Search*—a search of personal property brought onto facility grounds including, but not limited to, vehicles, lunchboxes, purses, coats, jackets and briefcases.

b. *Pat-Down Search* (also *Frisk Search*)—a search of a fully clothed visitor for the purpose of discovering contraband. Pat-down searches are conducted by an employee of the same sex.

i. The visitor being searched may be required to empty his pockets, purse or any other item in his control where contraband may be stored or carried.

ii. The visitor being searched may be required to remove any wig or hairpiece being worn. This portion of the search must be conducted in a private place and out of the view of others.

iii. The visitor being searched may also be required to remove all outerwear (coats, jackets, hats, caps, belts, gloves, shoes, socks, etc.) in order for these items to be inspected. He may also be required to run his hands through his hair and to open his mouth for inspection. The visitor will not be required to remove articles of clothing, which are the visitor's basic dress (shirt, pants, dress, skirt, etc.)

iv. The person conducting the search shall use his hands to touch the visitor being searched, through his clothes, in such a manner to determine if something is being concealed. If the person conducting the search discovers an unusual lump, bulge, etc., he may order the visitor being searched to disclose the source. Failure to comply with this order constitutes reasonable suspicion to conduct a general search or a strip search and/or to refuse the visit.

c. *General Search*—a search whereby a visitor is required to remove his clothing down to his underwear (shorts for male visitors and camisole or bra and panties for female visitors) in order that the clothing may be inspected for contraband and the visitor's person be visually observed.

Visitors who claim they are not wearing underwear will still be required to remove their basic dress. This search shall be conducted in a private place by an employee of the same biological sex as the visitor being searched and out of the view of others.

d. *Strip Search*—a visual search of a visitor's nude body, conducted by employees of the same biological sex as the visitor. Strip searches shall be conducted in a private place and out of the view of others. The visitor being searched may be required to bend over, squat, turn around, raise his arms and lift the genitals. (The foregoing list is exemplary, not exclusive.) The clothing of the visitor being searched shall be thoroughly inspected prior to returning it. Strip searches shall be conducted in a respectful and dignified manner.

e. *Visual Body Cavity Search (Strip Search/Genital Examination)*—a search having the characteristics of a strip search with the addition of a visual search of the anal and/or vaginal openings, whereby the visitor being searched is required to open the cheeks of the buttocks and/or the lips of the vagina. The visitor's clothing shall also be thoroughly inspected prior to returning it. Such searches shall be conducted by officers of the same biological sex as the visitor, in private and based on articulable factors that the visitor is carrying contraband.

f. *Body Cavity Search*—a search of a person's body cavities conducted by trained health care personnel only.

*Probable Cause*—articulable factors supported by reasonable suspicion that contraband is being concealed. Probable cause exists when facts and circumstances within the officer's knowledge and about which he has reasonable trustworthy information are sufficient to support a reasonable suspicion that an offense has been or will be committed and that contraband may be found at the place to be searched or on the visitor.

*Reasonable Suspicion*—suspicion supported by facts and circumstances which lead an employee of ordinary caution to believe that a visitor is concealing contraband in or on his body. Factors to consider in determining reasonable suspicion include, but are not limited to, the following:

- a. nature of the tip or information;
- b. reliability of the informant;
- c. degree of corroboration of the tip or other information; or
- d. other facts contributing to suspicion.

*Visitor*—any non-inmate or non-employee of the department who is on facility grounds for any authorized visit, or who is attempting to gain entry to the grounds for a visit, to conduct business with staff, for purposes of a tour or as a volunteer, etc.

#### E. When Searches Are Permitted

##### 1. Property Search

a. Property searches of visitors may be conducted at any time when deemed appropriate by the warden or designee.

b. Property searches of official facility guests may be conducted at any time, but would generally be conducted only when there is reasonable suspicion that the guest may be in possession of contraband.

##### 2. Pat-Down Search

a. Pat-down searches of visitors may be conducted at any time when deemed appropriate by the warden or designee.

b. Pat-down searches of official facility guests should be conducted only when there is reasonable suspicion that a guest may be in possession of contraband.

3. *General Search*. General searches of visitors or official facility guests may be conducted when there is reasonable suspicion and/or probable cause directed toward a specific visitor. However, facility officials must point to specific objective facts and rational inferences that they are entitled to draw from those facts. Absent reasonable suspicion directed toward the specific individual, these searches are prohibited. (The consent of a visitor to such a search does not make the search permissible, absent reasonable suspicion directed toward the visitor.) The search shall be conducted by one officer and witnessed by one additional officer or staff member of the same biological sex as the visitor or official facility guest and in a location out of the view of others. The warden or designee shall give prior written approval for this search.

a. The search shall be documented in the Visitor Shakedown Log by the employees who conducted the search. Additionally, the circumstances giving rise to the search and the search results shall be documented on an Unusual Occurrence Report (UOR.)

4. *Strip Search*. Strip searches of visitors or official facility guests may be conducted when there is reasonable suspicion and/or probable cause directed toward the specific visitor. However, facility officials must point to specific objective facts and rational inferences that they are entitled to draw from those facts. Absent reasonable suspicion directed toward the specific individual, these searches are prohibited. (The consent of a visitor to such a search does not make the search permissible, absent reasonable suspicion directed toward the visitor.) The search shall be conducted by one officer and witnessed by one additional officer or staff member of the same biological sex as the visitor or official facility guest and in a location out of the view of others. The warden or designee shall give prior written approval for this search.

a. A strip search shall be documented and reported as described in Paragraph E.3 of this policy.

5. *Visual Body Cavity Search*. A visual body cavity search of visitors or official facility guests may be conducted when there is reasonable suspicion and/or probable cause directed toward the specific visitor. However, facility officials must point to specific objective facts and rational inferences that they are entitled to draw from those facts. Absent reasonable suspicion directed toward the specific individual, these searches are prohibited. (The consent of a visitor to such a search does not make the search permissible, absent reasonable suspicion directed toward the visitor.) The search shall be conducted in the presence of at least two officers of the same biological sex as the visitor or official facility guest and in a location out of the view of others. The warden or designee shall give prior written approval for this search.

a. A visual body cavity search shall be documented and reported as described in Paragraph E.3 of this policy.

6. *Body Cavity Search*. When a visual body cavity search creates reasonable suspicion and/or probable cause directed toward the specific individual, a body cavity search of the visitor or official facility guest may be conducted. However, facility officials must point to specific objective facts and rational inferences that they are entitled to draw

from those facts. Absent reasonable suspicion directed toward an individual, these searches are prohibited. (The consent of a visitor to such a search does not make the search permissible, absent reasonable suspicion directed toward the visitor.)

a. Trained health care professionals only shall conduct a body cavity search and perform any necessary extraction. The visitor or official facility guest must be searched in a sanitary manner and in a sanitary location in accordance with standard medical practice. The warden or designee shall give prior written approval for this search.

b. A body cavity search shall be documented and reported as described in Paragraph E.3 of this policy.

F. Searches by Drug-Sniffing Dogs. Searches of a visitor's or official facility guest's property by trained drug-sniffing dogs may be conducted at any time.

G. When Contraband Is Not Found during a Search. The visitor or official facility guest may proceed if the visitor or official facility guest to whom reasonable suspicion and/or probable cause is directed consents to the search and no contraband is found.

H. When a Visitor or Official Facility Guest Refuses to be Searched or Contraband Is Found during a Search. Should the visitor or official facility guest refuse to be searched or contraband is found during a search, pursuant to C.Cr.P. Art. 215.2, the warden or designee may notify law enforcement officials and may detain the visitor or official facility guest for the length of time necessary for law enforcement to arrive and arrest the visitor or official facility guest or for the procurement of a search warrant. The detention shall not constitute an arrest.

I. Disposition of Contraband. Pursuant to R.S. 14:402(F), any contraband which is seized may be destroyed, donated to a charitable organization or put to lawful use within the facility, unless it is needed as evidence in a criminal prosecution. However, any money seized, which is legal tender shall be placed in a fund at the facility to be used solely for the purchase of contraband detection and escape chase team equipment. A record of the disposition of all contraband shall be maintained for the greater of either three years or the completion of any criminal proceedings arising from the incident.

J. Suspension of Visiting Privileges. If contraband is found on any visitor or official facility guest or if any visitor or official facility guest refuses to be searched or refuses to allow his property to be searched as provided in Section E. or violates any other facility rules, that particular visit may be halted, the visitor or official facility guest told to leave the facility and action taken as appropriate to suspend future visits to the facility.

1. If the offense is such that the warden desires to remove the visitor from the inmate's visitor list (either indefinitely or for a fixed period of time) the established procedures shall be followed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 14:402.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Corrections Services, LR 12:443 (July 1986), amended LR 35:488 (March 2009), amended LR 51:1681 (October 2025).

Gary E. Westcott  
Secretary

2510#019

## RULE

### Department of Public Safety and Corrections Office of Motor Vehicles

#### Reciprocity Agreements with Foreign Countries (LAC 55:III.171)

In accordance with R.S. 32:404(F), the Office of Motor Vehicles has adopted Section 171 of Part III, Chapter 1, Driver's License, Subchapter B, Reciprocity to provide that no signed agreement is required with foreign governments that allow Louisiana residents to drive in their country with a Louisiana driver's license in order for citizens of that country to drive in Louisiana with the driver's license from their country or origin. This Rule is hereby adopted on the day of promulgation.

## Title 55

### PUBLIC SAFETY

#### Part III. Motor Vehicles

##### Chapter 1. Driver's License

##### Subchapter B. Reciprocity Agreements with Foreign Countries

##### §171. General

A. ...

B. The deputy secretary of Public Safety Services, or his designee, the commissioner of the Office of Motor Vehicles, may sign the reciprocity agreement on behalf of the department. A duly authorized representative of the foreign government may sign the agreement on behalf of the foreign government. No signature is required for foreign governments that currently allow Louisiana residents to drive in their country with their Louisiana driver's license.

C. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:404(F).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:1316 (July 1998); amended LR 51:1683 (October 2025).

Bryan Adams  
Commissioner

2510#005

## RULE

### Department of Transportation and Development Professional Engineering and Land Surveying Board

#### Bylaws (LAC 46:LXI.701, 703, 707, and 709)

Under the authority of the Louisiana professional engineering and land surveying licensure law, R.S. 37:681 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Professional Engineering and Land Surveying Board has amended its rules contained in LAC 46:LXI.701, 703, 707 and 709.

This is a revision of existing rules under which LAPELS operates. The revision (a) clarifies the published roster used in connection with determining anticipated vacancies on the board, (b) clarifies the mileage reimbursement rate, (c) changes the deadline for the election of board officers, (d) transfers one of the secretary's duties to the executive director and (e) changes the name of the Education/Accreditation Committee and updates its duties. The anticipated effective date of the proposed amendments is the date of promulgation. This Rule is hereby adopted on the day of promulgation.

**Title 46**  
**PROFESSIONAL AND OCCUPATIONAL**  
**STANDARDS**

**Part LXI. Professional Engineers and Land Surveyors**

**Chapter 7. Bylaws**

**§701. Board Nominations**

A. - B.2. ...

C. An examination will be made of the anticipated vacancies scheduled to occur during each new administrative year because of expiration of terms of appointment, as published in the roster of board members, and the appropriate nominating organization shall be soon notified, along with the official interpretation of the practice areas of engineering represented, as well as a priority listing of the desired practice areas requested to be considered.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 4:298 (August 1978), amended LR 5:120 (May 1979), LR 11:1179 (December 1985), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1023 (July 2001), LR 30:1706 (August 2004), LR 37:2411 (August 2011), LR 44:613 (March 2018), LR 51:1684 (October 2025).

**§703. Compensation and Expenses**

A. - A.2. ...

B. Reimbursement of Transportation Expenses

1. Expenses for transportation by personally-owned vehicles shall be reimbursed at the mileage rate specified by the Louisiana Division of Administration's travel policy. Reimbursement shall be on the basis of the most direct route. The traveler shall be required to pay all of the operating expenses of the vehicle.

B.2. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:58 (February 1976), amended LR 5:110 (May 1979), LR 11:1182 (December 1985), LR 19:55 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1023 (July 2001), LR 30:1707 (August 2004), LR 44:613 (March 2018), LR 51:1684 (October 2025).

**§707. Board Organization**

A. - B. ...

C. Date of Elections. The election of board officers shall take place not later than at the board's first meeting of the calendar year. In the event that an officer cannot complete

his/her term, an election in order to fill the unexpired term shall be scheduled at the earliest practical regular or special meeting.

D. Duties

1. - 2. ...

3. Secretary. The secretary shall:

a. sign, with the chairman, certificates, the issuance of which shall have been authorized by resolution of the board;

b. sign the minutes of the board meetings after approval of the minutes by the board.

4. ...

E. Committees. The board may establish standing committees, including but not limited to the following: executive committee, engineering committees, land surveying committee, engineer intern committee, laws and rules committee, education credential evaluation review committee, finance committee, nominations and awards committee, complaint review committees, continuing professional development committee, firm licensure committee, and enforcement committee. The board may also establish ad hoc committees from time-to-time as necessary.

1. - 6. ...

7. Education Credential Evaluation Review Committee. The chairman of the board shall appoint an education credential evaluation review committee composed of not less than two board members. The education credential evaluation review committee shall review education credential evaluations of applicants for licensure or certification.

8. - 13. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:52 (February 1976), amended LR 5:110 (May 1979), LR 11:1179 (December 1985), LR 19:54 (January 1993), LR 21:1353 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1024 (July 2001), LR 30:1707 (August 2004), LR 33:2788 (December 2007), LR 35:1908 (September 2009), LR 37:2411 (August 2011), LR 38:2563 (October 2012), LR 40:1388 (July 2014), LR 42:1104 (July 2016), LR 44:614 (March 2018), LR 45:76 (January 2019), LR 51:1684 (October 2025).

**§709. Executive Director**

A. - B. ...

C. Duties of the Executive Director. The executive director shall:

1. - 12. ...

13. employ and supervise the work of all employees essential to the work of the board, but only on approval of the executive committee and in accordance with the provisions of the licensure law;

14. - 23. ...

24. assist in the legislative audit made of all receipts and disbursements at the close of each fiscal year by a certified public accountant;

25. assist the chairman with planning and compiling the agenda for each regular and special meeting of the board; and

26. be the official custodian of the records of the board and of the seal of the board and ensure that the seal of the board is affixed to all appropriate documents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation, Board of Registration for Professional Engineers and Land Surveyors, LR 2:53 (February 1976), amended LR 5:118 (May 1979), LR 11:1180 (December 1985), LR 19:55 (January 1993), LR 21:1354 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1025 (July 2001), LR 30:1709 (August 2004), LR 37:2412 (August 2011), LR 38:2563 (October 2012), LR 44:614 (March 2018), LR 45:76 (January 2019), LR 47:894 (July 2021), LR 51:1684 (October 2025).

Donna D. Sentell  
Executive Director

2510#020

## RULE

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

#### Fish and Wildlife Values (LAC 76:I.313 and 315)

The Wildlife and Fisheries Commission does hereby amend the civil fish and wildlife values, guidelines for determining fish and wildlife values and the list of threatened and endangered species. It also establishes conversion factors to be used to convert the weight of fish and shellfish species not in whole form to whole form weight for the purpose of assigning civil restitution penalty values for commercial fish and shellfish species. Authority to establish such rules and regulations is vested in the Wildlife and Fisheries Commission by R.S. 56:40.1-40.9 and R.S. 56:1904. This Rule is hereby adopted on the day of promulgation.

#### Title 76

### WILDLIFE AND FISHERIES

#### Part I. Wildlife and Fisheries Commission and Agencies Thereunder

#### Chapter 3. Special Powers and Duties

#### Subchapter D. Wildlife Values

#### §313. Guidelines for Determining Fish and Wildlife Values

A. The following are the guidelines utilized by the Department of Wildlife and Fisheries in determining fish and wildlife values.

1. With respect to fish and shellfish species, the American Fisheries Society publishes hatchery values reflecting estimated costs involved in rearing various freshwater and saltwater fish. These figures, adjusted by the Consumer Price Index; current data relating to expenditures of both sport and commercial fishermen relating to the animal or species which, directly or indirectly, result in revenues being generated for the state; ex-vessel commercial prices, as reported by the National Marine Fisheries Service and the Department of Wildlife and Fisheries Trip Ticket Program; estimated costs involved in the capture, purchase, transportation and release of species of fish; the current commercial retail selling price of living replacement animals; and, the current commercial selling price of meat and/or other products which are derived from the animal and traded in commerce, shall be considered by the department in formulating its recommendations concerning valuation.

2. With respect to avian species, existing information and estimated costs involved in the capture, purchase, transportation and release of species of birds; cost to purchase replacement animals from other states or jurisdictions; the costs to zoos and other zoological institutions to raise and maintain like animals; the current commercial retail selling price of meat and/or other products which are derived from the animal and traded in commerce; and, the expenditures of sportsmen and others relating to the animal or species which, directly or indirectly, result in revenue being generated for the state, and adjusted by the Consumer Price Index, shall be considered by the department in formulating its recommendations concerning valuation.

3. With respect to mammal species, estimated costs involved in the capture, purchase, transportation, and release of species of mammals; pelt values; costs to zoos and other zoological institutions to raise and maintain like animals; the current commercial retail selling price of meat and/or other products which are derived from the animal and traded in commerce; and the expenditures of sportsmen and others relating to the animal of species which, directly or indirectly, result in revenue being generated for the state, and adjusted by the Consumer Price Index, shall be considered by the department in formulating its recommendations concerning valuation.

4. With respect to reptiles and amphibian species, the estimated costs involved in the capture, purchase, transportation and release of species of reptiles and amphibians; pelt or hide values, costs to zoos and other zoological institutions to raise and maintain the animal; the current commercial retail selling price of meat and/or other products which are derived from the animal and traded in commerce; and the expenditures of hunters, trappers, and recreational sportsmen with respect to the animal or species which, directly or indirectly, result in revenues being generated for the state and adjusted by the Consumer Price Index, shall be considered by the department in formulating its recommendations concerning valuation.

5. Certain species are highly prized because of their rarity or may have a high intangible perceived value placed on the animal or species by the public. Other species have an intrinsically high value because they are threatened or endangered. In addition to the guidelines set forth above, the department shall, with respect to these rare and/or threatened and/or endangered species which might have limited commercial value but which possess a high intangible, intrinsic, aesthetic, ecological, or biological value, consider those factors when determining its recommendations with respect to valuation.

6. Not all the criteria set forth in the guidelines above will be applicable to each particular series and each criterion or factor shall be considered by the department only insofar as it is applicable to each particular species.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:40.1-40.9.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:200 (March 1989), amended LR 37:2434 (August 2011), LR 51:1685 (October 2025).

#### §315. Fish and Wildlife Values

A. All fish and wildlife species found within, or taken from the state have value, regardless of whether a specific value is provided herein. If a specific value is not provided for

in this Section, that species is not deemed to be without value and its value may be determined.

**B. Fish and Wildlife Values**

**1. Game Mammals and Game Birds**

Quality Deer <sup>1</sup>	\$1,600
Non-Quality Antlered Deer	\$800
Non-Quality Antlerless Deer	\$400
Squirrels	\$27
Rabbits	\$42
Turkeys	\$775
Ducks	\$51
Mottled Ducks	\$100
Geese	\$73
Coots	\$20
Gallinules and Rails	\$29
Snipe	\$26.50
Quail	\$65
Woodcock	\$80
Doves	\$25

<sup>1</sup>Quality deer defined as buck meeting two of the following three criteria: at least eight total points, a minimum spread of 13.5 inches and a minimum beam length of 16.5 inches using the Boone and Crockett Scoring system defined in Measuring and Scoring North American Big Game Trophies; Third Edition, by Nesbitt, William H. and Wright, Philip L., updated by Buckner, Eldon L., Byers, C. Randall, and Reneau, Jack, 2009.

**2. Non-Game Animals**

Raptors (Birds)	\$116
Other Birds	\$23.25
Frogs	\$1.25
Turtles	\$2.75
Snakes, Other than Pine Snake	\$3.50
Salamanders	\$3
Alligator (Eggs)	\$15.50/egg
Alligator, Other Than Albino (Whole, Skin, or Meat <sup>2</sup> )	\$250
Mink	\$5
Muskrat	\$1.25
Otter	\$25.75
Bobcat	\$39.25
Marine Mammals	\$4,350
Other Mammals, Excluding Outlawed Quadrupeds	\$23.25

<sup>2</sup>For alligator meat, 23 pounds of deboned meat and 35 pounds of bone in carcass meat shall equate to one alligator. Civil restitution penalty amounts for illegal possession of alligator meat, absent the presence of other parts of the animal(s), shall be based on the weight of the meat, with the weight rounded up to the next number of whole alligators.

**3. Federally Listed Threatened and Endangered Species<sup>3</sup>**

Reptiles (Adult or Young)	\$4,350/animal
Reptiles (Eggs)	\$4,350/nest or clutch
Whooping Cranes	\$15,000/animal
Birds, (Adult or Young)	\$4,350/animal
Birds, (Eggs)	\$4,350/nest or clutch
Mammals	\$4,350/animal
Invertebrates	\$4,350/violation
Fish	\$4,350/animal
Amphibians	\$4,350/animal

<sup>3</sup>See LAC 76:1.317 for a list of Threatened or Endangered Species.

**4. Species of Special Concern**

<b>Fish</b>	
Prohibited fish species as found in LAC 76:VII.145, LAC 76:VII.337.A, and LAC 76:VII.357.B.4 excluding species listed in LAC 76:L.317.	\$2,175/animal
<b>Birds</b>	
Bald Eagle	\$4,350/animal
Brown Pelican	\$4,350/animal
Peregrine Falcon	\$4,350/animal
<b>Mammals</b>	
Black Bear	\$4,350/animal
Cougars (Felis concolor cougar)	\$4,350/animal
<b>Reptiles</b>	
Albino Alligator	\$4,350/animal
Alligator Snapping Turtle	\$700/animal
Box Turtle	\$700/animal
Diamondback Terrapin	\$700/animal
Razorback Musk Turtle	\$700/animal

**5. Recreational and Commercial Fishes**

Species Group	Value per Individual Fish
Drum, Red	\$50
Spotted Seatrout	\$31.25
Snapper, Red	\$38.25
White Trout, Sand Seatrout, Silver Seatrout	\$5.25
Flounder	\$21.50
Croaker	\$6.25
Bass, Largemouth	\$15
Bluegill	\$2
Crappies	\$6
Paddlefish <sup>4</sup>	\$170

<sup>4</sup>For Paddlefish roe, 4.75 pounds of roe shall equate to one Paddlefish. Civil restitution penalty amounts for illegal possession of Paddlefish roe, absent the presence of other parts of the animal(s), shall be based on the weight of the roe, with the weight rounded up to the next number of whole Paddlefish.

**6. Commercial Fish Species**

Species Group	Value/Lb <sup>5</sup>
Amberjacks	\$2.25
Other Jacks	\$1.50
Barracuda	\$2.25
Bowfin <sup>6</sup>	\$1
Buffalo	\$0.25
Carp	\$0.25
Freshwater Catfish	\$0.75
Cobia	\$3.75
Blue Crab	\$2
Stone Crab	\$5
Crawfish	\$1.50
Dolphin (Fish)	\$1.25
Driftfish	\$2.75
Black Drum	\$1.25
Freshwater Drum	\$0.25
Gar	\$1.25
Gag Grouper	\$5.25
Yellowedge Grouper	\$4.75
Other Grouper, Hinds, and Grunts	\$4.50
Kingfish and Whiting	\$1.50
King Mackerel	\$2.50
Spanish Mackerel	\$1
Menhaden	\$0.25
Mullet <sup>7</sup>	\$0.75
Oilfish and Escolar	\$1

Species Group	Value/Lb <sup>5</sup>
Oyster (in-shell weight)	\$2
Pompano	\$4.50
Porgy	\$2
Shad	\$0.25
Shortfin Mako Shark	\$1.50
Sharks and Rays	\$0.50
Sheepshead	\$1
Shrimp	\$1.50
Snapper Other than Red Snapper	\$5.75
Squid	\$3
Swordfish	\$3.50
Tilefishes	\$3.25
Triggerfish	\$2.25
Tripletail	\$5
Albacore Tuna	\$0.75
Bigeye Tuna	\$5.25
Blackfin Tuna	\$0.75
Bluefin Tuna	\$5.25
Yellowfin Tuna	\$5.25
Other Tuna	\$1
Wahoo	\$1.50

<sup>5</sup>All values listed are for whole form weight. When fish are not in whole form, the conversion factors set out in Section 316, following, shall be applied to convert their product form weight to whole form weight. If product form weight to whole form weight conversion factor is not available for a particular species and is thus not listed in Section 316, any data that is collected in a scientific method to allow estimation of the conversion factor from product form weight to whole form weight for that species shall be allowed to be used to determine civil restitution value for product form.

<sup>6</sup>For bowfin roe, weight of the roe should be multiplied by 1/.12 to convert the roe to whole bowfin weight.

<sup>7</sup>For mullet roe, weight of the roe should be multiplied by 1/.18 to convert the roe to whole mullet weight.

7. All Fish Not Listed Elsewhere in This Rule

Marine Fish	\$1.05/lb.
Freshwater Fish	\$0.45/lb.

C. Recovery of Civil Penalties by the Department

1. In any case where the department elects to enforce civil restitution for the value of injured or destroyed wildlife or aquatic life by adjudicatory hearing or civil suit, it shall demand restitution in accordance with the values established in this Subchapter.

2. Notwithstanding the provisions of this Subsection, the secretary is authorized to assess or settle civil restitution penalties to ensure equitable and reasonable application of Title 56 of the Louisiana Revised Statutes and this Subchapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:40.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:39 (January 1990), amended LR 18:290 (March 1992), LR 37:2435 (August 2011), LR 51:1685 (October 2025).

Tyler M. Bosworth  
Secretary

2510#015



# Notices of Intent

## NOTICE OF INTENT

### Department of Agriculture and Forestry Board of Veterinary Medicine

Various Rules Related to Licensing and Continuing  
Education for DVMs, RVTs, and CAETs  
(LAC 46:LXXXV.305, 407, 811, 1213, and 1215)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Board ("Board") of Veterinary Medicine has amended LAC 46:LXXXV Sections 305, 407, 811, 1213, and 1215 with respect to the renewal of licenses and certificates. There are no substantive changes to the renewal or continuing education requirements for licensure or certification. The proposed amendments make rule language clearer and more uniform and consistent.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part LXXXV. Veterinarians

#### Chapter 3. Licensing Procedures

#### §305. License Renewals

A. Annual Renewal of Licenses. Pursuant to R.S. 37:1524, all licenses expire annually at midnight (central time) on September 30 of each year and must be renewed by making application for renewal of license with the board, submitting all satisfactory documentation of continuing education compliance, and payment of the annual renewal fee(s). A complete application for renewal-must be submitted to the board or the license shall be expired. For an application for renewal to be considered complete, all of the following conditions must be fully met:

1. application for renewal must be received by September 30 of the year of application for renewal;
2. full payment of renewal fee must be received;
3. all satisfactory documentation of compliance with continuing education requirements in accordance with Chapter 4 of this Part must be received; and
4. if applicable, full payment of late continuing education fee and any other disciplinary fines must be received.

B. Renewal of Expired Licenses. A license which has expired may be renewed within five years of the date of its expiration by submitting an application for renewal which meets the following conditions:

1. application for renewal must be received;
2. full payment of current renewal fee must be received;
3. full payment of delinquent annual renewal fees must be received;
4. full payment of late fees for delinquent license renewal(s) must be received;
5. all satisfactory documentation of compliance with continuing education requirements, for the current year and all delinquent years, in accordance with Chapter 4 of this Part must be received; and

6. if applicable, late continuing education fee(s) must be received for the current year and all delinquent years.

C. Any application for renewal not completed pursuant to §305.A by midnight on September 30 of each year shall be subject to all accrued fees and an additional late renewal fee of \$150 per fiscal year.

#### D. Notice

1. A person failing to renew his license shall receive one notification via certified mail, return receipt requested. Such notice shall be mailed within 10 days after expiration of the license and will advise that any person who shall practice veterinary medicine after the expiration of his license and willfully or by neglect fails to renew such license shall be guilty of practicing in violation of R.S. 37:1514. Such notice shall also state that the board may publish the name of any person holding an expired license and that the board may distribute the name of any person holding an expired license to agencies which may include, but is not limited to, the Louisiana state controlled dangerous substances program, the United States Drug Enforcement Administration, the United States Food and Drug Administration, the United States Department of Agriculture, drug supply wholesalers, veterinary supply wholesalers, the Louisiana Board of Pharmacy, the Louisiana Board of Wholesale Drug Distributors, the Louisiana Veterinary Medical Association, and any other entity that requests or is entitled to such information.

#### 2. ...

E. It is the duty of the licensee to maintain current contact details with the board office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:343 (March 1993); amended LR 23:965 (August, 1997), LR 24:941 (May 1998), LR 26:322 (February 2000), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 52:

#### Chapter 4. Continuing Education

#### §407. Expired License Requirements

A. Persons who have not renewed their license and wish to do so pursuant to R.S. 37:1525, may be required to submit proof of continuing education for each year for which the license was not renewed. Where insufficient hours have been acquired, the board may require additional hours to be obtained as a condition of licensure and/or as a condition of renewal for the next fiscal year. Any person who shall practice veterinary medicine after the expiration of his license and willfully or by neglect fails to renew such license, including submission of all satisfactory documentation of continuing education compliance, shall be guilty of practicing in violation of R.S. 37:1514.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1428 (November 1993), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 52:

## **Chapter 8. Registered Veterinary Technicians**

### **§811. Certificate Renewals**

A. Annual Renewal of Certificates. Pursuant to R.S. 37:1546, all certificates of approval expire annually at midnight (central time) on September 30 of each year and must be renewed by making application for renewal of certificate with the board, submitting all satisfactory documentation of continuing education compliance, and payment of the annual renewal fee(s). A complete application for renewal must be submitted to the board or the certificate shall be expired. For an application for renewal to be considered complete, all of the following conditions must be fully met:

1. application for renewal must be received by September 30 of the year of application for renewal;
2. full payment of renewal fee must be received;
3. all satisfactory documentation of compliance with continuing education requirements in accordance with Chapter 4 of this Part must be received; and
4. if applicable, full payment of late continuing education fee and any other disciplinary fines must be received.

B. Renewal of Expired Certificates. A certificate which has expired may be renewed within two years of the date of its expiration by submitting an application for renewal which meets the following conditions:

1. application for renewal must be received;
2. full payment of current renewal fee must be received;
3. full payment of delinquent annual renewal fees must be received;
4. full payment of late fees for delinquent certificate renewal(s) must be received;
5. all satisfactory documentation of compliance with continuing education requirements, for the current year and all delinquent years, in accordance with §812 must be received; and
6. if applicable, late continuing education fee(s) must be received for the current year and all delinquent years.

C. Any application for renewal not completed pursuant to §811A by midnight on September 30 of each year shall be subject to all accrued fees and an additional late renewal fee of \$20 per fiscal year.

#### **D. Notice**

1. A person failing to renew his certificate shall receive one notification via certified mail, return receipt requested. Such notice shall be mailed within 10 days after expiration of the certificate and will advise that any person who shall practice as a registered veterinary technician after the expiration of his certificate and willfully or by neglect fails to renew such certificate shall be guilty of practicing in violation of R.S. 37:1544.

2. After two years have elapsed since the date of expiration, a certificate may not be renewed. No later than 60 days prior to the end of the two-year period, the board shall mail notice via certified mail, return receipt requested, to the person holding such expired certificate. Such notice shall state that if the certificate is not renewed prior to the end of the two-year period, the certificate shall be permanently removed from the board's rolls and that the holder shall be required to make application for a new certificate.

E. It is the duty of the certificate holder to maintain current contact details with the board office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1549.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:227 (March 1990), amended LR 23:1686 (December 1997), LR 26:84 (January 2000), LR 36:320 (February 2010), LR 37:1153 (April 2011), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:1137 (August 2024), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 52:

## **Chapter 12. Certified Animal Euthanasia Technicians**

### **§1213. Certificate Renewals**

A. Annual Renewal of Certificates. Pursuant to R.S. 37:1555, all certificates of approval expire annually at midnight (central time) on September 30 of each year and must be renewed by making application for renewal of certificate with the board, submitting all satisfactory documentation of continuing education compliance, and payment of the annual renewal fee(s). A complete application for renewal must be submitted to the board or the certificate shall be expired. For an application for renewal to be considered complete, all of the following conditions must be fully met:

1. application for renewal must be received by September 30 of the year of application for renewal;
2. full payment of renewal fee must be received;
3. all satisfactory documentation of compliance with continuing education requirements in accordance with Chapter 4 of this Part must be received; and
4. if applicable, full payment of late continuing education fee and any other disciplinary fines must be received.

B. Renewal of Expired Certificates. A certificate which has expired may be renewed within one year of the date of its expiration by submitting an application for renewal which meets the following conditions:

1. application for renewal must be received;
2. full payment of current renewal fee must be received;
3. all satisfactory documentation of compliance with continuing education requirements, for the current year and all delinquent years, in accordance with §1227 must be received; and
6. if applicable, late continuing education fee(s) must be received.

C. Any application for renewal not completed pursuant to §1213.A by midnight on September 30 of each year shall be subject to all accrued fees and an additional late renewal fee of \$25 per fiscal year.

#### **D. Notice**

1. A person failing to renew his certificate shall receive one notification via certified mail, return receipt requested. Such notice shall be mailed within 10 days after expiration of the certificate and will advise that any person who shall practice as a certified animal euthanasia technician after the expiration of his certificate and willfully or by neglect fails to renew such certificate shall be guilty of practicing in violation of R.S. 37:1554.

2. After one year has elapsed since the date of expiration, a certificate may not be renewed. No later than 60 days prior to the end of the one-year period, the board

shall mail notice via certified mail, return receipt requested, to the person holding such expired certificate. Such notice shall state that if the certificate is not renewed prior to the end of the one-year period, the certificate shall be permanently removed from the board's rolls and that the holder shall be required to make application for a new certificate.

F. It is the duty of the certificate holder to maintain current contact details with the board office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1558.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1426 (November 1993), amended LR 23:1685 (December 1997), LR 26:319 (February 2000), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 52:

### **§1215. Expired Certificate**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1558.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1426 (November 1993), amended LR 26:319 (February 2000), repealed LR 52:

#### **Family Impact Statement**

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

#### **Poverty Impact Statement**

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

#### **Small Business Analysis**

The proposed Rule should have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

#### **Provider Impact Statement**

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;

2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or

3. the overall effect on the ability of the provider to provide the same level of service.

#### **Public Comments**

Interested parties may submit written comments to the Louisiana Board of Veterinary Medicine, Attention: Jared B. Granier, Executive Director, via U.S Mail at 5825 Florida Blvd, Baton Rouge, LA 70806 or via e-mail attachment to [director@lsbvm.org](mailto:director@lsbvm.org) or via hand delivery. Comments will be accepted until 3 p.m. on Monday, November 10, 2025. All written comments must be dated and must include the first and last name, email address, mailing address, phone number, and the original signature of the person submitting the comments.

#### **Public Hearing**

Interested parties may submit a written request to conduct a public hearing to the Louisiana Board of Veterinary Medicine, Attention: Jared B. Granier, Executive Director, via U.S Mail at 5825 Florida Blvd, Baton Rouge, LA 70806 or via e-mail attachment to [director@lsbvm.org](mailto:director@lsbvm.org) or via hand delivery; however, such request must be received by no later than 3 p.m. on Monday, November 10, 2025. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, a public hearing will be conducted at 1 p.m. on Thursday, November 27, 2025 at 5825 Florida Blvd, Baton Rouge, LA 70806. To confirm whether or not a public hearing will be held, interested parties should visit the board's website at [www.lsbvm.org/rulemaking-projects](http://www.lsbvm.org/rulemaking-projects) after Monday, November 10, 2025. If a public hearing is to be held, all interested parties are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in front of the Department of Agriculture and Forestry Building at 5825 Florida Blvd, Baton Rouge, LA 70806.

Jared B. Granier  
Executive Director

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Various Rules Related to Licensing and Continuing Education for DVMs, RVTs, and CAETs**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

There are no anticipated costs or savings to state or local governmental units resulting from the proposed rule change, except for the cost associated with publishing, which is included in the annual operating budget of the Board of Veterinary Medicine (Board), estimated to be \$750.

The proposed rule changes clarify guidelines regarding continuing education and late fees for veterinarians who fail to renew their license. The proposed rule change expressly states that a veterinarian who fails to renew their license is subject to a \$150 fine, this is the current practice and is being codified.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to affect revenue collections of state or local governmental units. The proposed rule change codifies a late fee of \$150 that is already the current practice.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will give clearer instructions for the annual renewal process and continuing education requirements to all licensees and certificate holders.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to impact competition or employment in the public or private sectors.

Jared Granier, MBA  
Executive Director  
2510#016

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

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

**Gypsum (LAC 7:XI.141 and 143)**

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority in R.S. 3:1424, notice is hereby given that the Department of Agriculture and Forestry, through the Office of the Commissioner, proposes to adopt LAC 7:XI.141 and 143.

Pursuant to R.S. 3:1424, the commissioner is authorized to adopt by rule the provisions necessary to enforce the provisions of Act 94 of the 2025 Regular Session. The proposed Rule provides requirements for the agricultural use of gypsum, including the establishment of analytical tolerances. The agency evaluated the proposed Rule and determined it was necessary, consistent with law, and aligned with the agency's mission. The benefits of the proposed Rule outweigh the burdens and costs. This proposed Rule is written in plain language in an effort to increase transparency.

**Title 7  
AGRICULTURE AND ANIMALS  
Part XI. Fertilizers**

**Chapter 2. Gypsum**

**§141. Definitions**

A. The following words and terms shall have the following meanings:

*Flue Gas Desulfurization Gypsum*—gypsum that is produced when sulfur-containing compounds are removed from exhaust gases during the combustion of fossil fuels.

*Gypsum*—calcium sulfate dihydrate.

*Phosphogypsum*—solid waste by-product which results from the process of phosphoric acid production.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1424.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 52:

**§143. Gypsum; Requirements for Agricultural Use;  
Analytical Tolerances**

A. To use by-product gypsum (phosphogypsum and flue gas desulfurization gypsum) in accordance with R.S. 3:1424, the following shall apply:

1. The provider of the gypsum shall furnish chemical analysis documentation, from an accredited laboratory, for the product to the producer.

2. The chemical analysis documentation shall include the calcium and sulfur content and content of elements listed in Table 1 of the most recent version of the *Conservation Practice Standard, Amending Soil Properties with Gypsum Products, Code 333* as published by the Natural Resources Conservation Service of the United States Department of Agriculture. Concentrations of these elements shall not exceed maximum allowable concentrations listed in Table 1 of that publication. In addition, the radium-226 concentration in the gypsum-containing product shall not exceed 10 picocuries per gram (pCi/g) and chloride content shall not exceed one-half of one percent (0.5 percent).

B. The agricultural producer shall use gypsum only on his land or with written authorization from the landowner once the gypsum is analyzed and passes all analytical tolerances established by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1424.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 52:

**Family Impact Statement**

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

**Poverty Impact Statement**

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

**Small Business Analysis**

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

**Provider Impact Statement**

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

**Public Comments**

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules via U.S. Mail or hand delivery. Written submissions must be directed to Amy L. McInnis, General Counsel Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 2000, Baton Rouge, LA 70806 or via email to legal@ldaf.state.la.us and must be received no later than 4 p.m. on November 10, 2025. All written comments must be signed and dated.

**Public Hearing**

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 2000, Baton Rouge, LA 70806 or via email to legal@ldaf.state.la.us and must be received no later than 4 p.m. on November 10, 2025.

Mike Strain, DVM  
Commissioner

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Gypsum**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change is not anticipated to have any costs or savings to the Louisiana Department of Agriculture and Forestry (LDAF), other than the cost of promulgation, which is normally included in the agency's operating budget. There is no anticipated impact on local governmental units.

The proposed rule change provides requirements for the agricultural use of gypsum, including the establishment of analytical tolerances, should an agricultural producer wish to utilize gypsum as a soil amendment in accordance with R.S. 3:1424 (Act 94 of the 2025 RS).

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to increase or decrease revenue collections of state or local government units. There is no licensing or permit component, or related fees, for implementation.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change will allow the use of gypsum, given at no cost to agricultural producers, as well as provide suppliers an avenue to dispose of the gypsum rather than it being stored on site at such facility. There may be an economic benefit to suppliers who are able to dispose of gypsum instead

of needing a facility to store it, and to agricultural producers who will use the gypsum to fertilize their soil. The magnitude of this benefit is indeterminable at this time.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change is not anticipated to influence competition or employment.

Dane Morgan  
Assistant Commissioner  
2510#033

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Environmental Quality  
Office of the Secretary  
Legal Affairs Division**

**Exclusion of Wastes for The Dow Chemical Company  
Plaquemine Plant (LAC 33:V.4999)**

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Hazardous Waste regulations, LAC 33:V.4999. Appendix E (HW139).

The proposed Rule will delist Solvents/Ethylene Dichloride (EDC) Process Wastewater Effluent and Solvents East Ditch Sediment from certain EPA hazardous waste number categories and establish monitoring conditions to maintain the delisting status. This rulemaking will acknowledge LDEQ's acceptance of The Dow Chemical Company's delisting exclusion petition submitted to fulfill a requirement in a Consent Agreement and Final Order (CAFO) with the Environmental Protection Agency issued per Docket No. RCRA-06-2010-0933.

Prior to October 5, 2015, The Dow Chemical Company (Dow) owned and operated the hazardous waste incinerator (F-700) in the Solvents/EDC production unit, now owned and operated by Blue Cube Operations, LLC. In accordance with the CAFO, Dow chose to pursue a waste exclusion delisting option under LDEQ oversight for both the Solvents/EDC Process Wastewater Effluent and Solvents East Ditch Sediment (in situ). The basis and rationale for this proposed Rule are based on an evaluation of the information provided by the petitioner, including the analytical data, and the department's analysis of the information, including results of the Delisting Risk Assessment Software assessment. LDEQ found this initial petition to be deficient for determining delisting eligibility for all requested waste codes affecting the solvents east ditch sediment. After further sampling and analysis, Dow submitted a petition addendum on February 21, 2018, which satisfactorily demonstrated that both waste streams were eligible for delisting. This proposed Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

**Title 33**

**ENVIRONMENTAL QUALITY**

**Part V. Hazardous Waste and Hazardous Materials**

**Subpart 1. Department of Environmental Quality—**

**Hazardous Waste**

**Chapter 49. Lists of Hazardous Wastes**

[Editor's Note: Chapter 49 is divided into two Sections: category I hazardous wastes, which consist of hazardous wastes from nonspecific and specific sources (F and K wastes), acute hazardous wastes (P wastes), and toxic wastes (U wastes) (LAC 33:V.4901); and category II hazardous wastes, which consist of wastes that are ignitable, corrosive, reactive, or toxic (LAC 33:V.4903).]

**§4999. Appendices—Appendix A, B, C, D, and E**

Appendix A. - Appendix D. ...

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Appendix E. Wastes Excluded under LAC 33:V.105.M

A. - B.3.b. ...

<b>Table 1 – Wastes Excluded</b>
<b>BFI Waste Systems of Louisiana LLC, Colonial Landfill, Sorrento, LA</b>
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<b>Table 1 – Wastes Excluded</b>
<b>Denka Performance Elastomer LLC, LaPlace, LA</b>
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<b>Table 1 – Wastes Excluded</b>
<b>Lyondell Chemical Company, Lake Charles, LA</b>
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<b>Table 1 – Wastes Excluded</b>
<b>Marathon Oil Co., Garyville, LA</b>
***

<b>Table 1 – Wastes Excluded</b>
<b>Motiva Enterprises LLC, Norco, LA</b>
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<b>Table 1 – Wastes Excluded</b>
<b>Syngenta Crop Protection, Inc., St. Gabriel, LA</b>
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<b>Table 1 – Wastes Excluded</b>
<b>The Dow Chemical Company, Plaquemine, LA</b>
<p>The solvents/EDC production unit, formerly owned and operated by The Dow Chemical Company, but currently owned and operated by Blue Cube Operations LLC since October 5, 2015, generates process wastewater effluent from an air pollution control system (wet scrubbing) that treats combustion gas produced from RCRA-permitted F-700 thermal treatment unit (incinerator), which combusts chlorinated organic waste feed streams carrying EPA listed hazardous waste numbers K016, K019, U044, U077, U080, U083, U210, U211, and U227. The specific hazardous waste streams combusted and their related EPA hazardous waste numbers are: Solvent Heavies (Tank D-700) – D001, D019, D022, D028, D032, D033, D034, D035, D039, and D040; EDC Heavies (Tank T-107) – D001, D018, D019, D022, D028, D032, D033, D035, D039, D040, K019, U077, and U227; Hexes (Tanks D-13/D-15) – D019, D032, D033, D034, D039, K016, U210, and U211; Chlorine Taffy (from chlorine unit) – D019, D022, D032, D033, D034, and D039; General Waste (Tank D-42) – D001, D019, D022, D028, D032, D033, D034, D039, K016, K019, U044, U077, U080, U083, U210, and U211; VRU Waste (Tank D-930) – D001, D019, D022, D028, D033, D039, U044, U077, U080, U210, and U211; Glycol Ethers/PDC (from Dow's glycol unit) – D001, D019, D022, D028, D032, D035, and D039. The solvents/EDC process wastewater effluent is discharged through LPDES-permitted Internal Outfall 201 into the Solvents East Ditch. The Dow Chemical Company shall implement a sampling and analysis monitoring program that meets the following conditions for this hazardous waste number delisting exclusion to remain in effect.</p>

<b>Table 1 – Wastes Excluded</b>
<b>The Dow Chemical Company, Plaquemine, LA</b>
<p>(1). Testing Sample collections and analyses, including quality control procedures, shall be performed according to methodologies described in <i>Test Methods for Evaluating Solid Waste, Physical/Chemical Methods</i>, EPA Publication SW-846, as incorporated by reference in LAC 33:V.110. All samples shall be taken while the F-700 thermal treatment unit is operating between 2,000 - 4,800 lb/hr. All sampling and analytical results including quality control information shall be reported to the Office of Environmental Services, Waste Permits Division.</p> <p>(1)(A). Initial Organic Verification Testing of Solvents/EDC Process Wastewater Effluent During the first six months after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a monthly grab sample of solvents/EDC process wastewater effluent for Condition (3)(A) – (organic constituents). If the analytical results obtained during the six monthly test events are significantly below Condition (3)(A) – (delisting exclusion levels), as determined by the department in writing, then The Dow Chemical Company may replace Condition (1)(A) – (organic testing) with Condition (1)(B). Condition (1)(A) shall remain in effect indefinitely until the department makes this determination.</p> <p>(1)(B). Subsequent Organic Verification Testing of Solvents/EDC Process Wastewater Effluent Following satisfactory completion of Condition (1)(A) and written concurrence by the department, The Dow Chemical Company shall continue to collect and analyze grab samples annually thereafter for Condition (3)(A) – (organic constituents) on a randomly chosen operating day during the same operating month as the previous year's sampling event. If the department determines, in writing, that the analytical results obtained during the annual test events are significantly below delisting exclusion levels in Condition (3)(A), then The Dow Chemical Company may discontinue further organic testing of solvents/EDC process wastewater effluent. Condition (1)(B) shall remain in effect indefinitely until the department makes this determination.</p> <p>(1)(C). Polychlorinated Dibenzodioxins and Polychlorinated Dibenzofurans (Dioxins and Furans) Testing During the first 30 days after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a grab sample of Solvents/EDC process wastewater effluent for Condition (3)(B) – (dioxins and furans). The Dow Chemical Company shall sample and analyze for Condition (3)(B) – (dioxins and furans) once every three years beginning three years after the initial sampling event and during the same operating month as the previous year's sampling event. If the department determines, in writing, that analytical results are insignificant, then The Dow Chemical Company may discontinue dioxins and furans testing. Condition (1)(C) shall remain in effect indefinitely, until the department makes this determination.</p> <p>(2). Waste Holding and Handling Subject to conditions of this delisting exclusion, the solvents/EDC process wastewater effluent becomes nonhazardous industrial solid waste. This newly delisted waste shall always be managed and/or disposed in accordance with all applicable solid waste regulations. If constituent levels in any representative sample equal or exceed any Condition (3) - Delisting Exclusion Levels, the solvents/EDC process water effluent shall be immediately resampled and reanalyzed for constituents that exceeded delisting exclusion levels. If the repeat analysis is less than delisting exclusion levels, then The Dow Chemical Company shall resume Condition (1) – (sampling and analysis). If reanalysis results equal or exceed any delisting exclusion levels, then within 45 days The Dow Chemical Company shall submit a report to the department describing probable causes for exceeding the constituent level and proposing corrective action measures. The department shall determine the necessary corrective action and shall notify The Dow Chemical Company, in writing, of the corrective action needed. The Dow Chemical Company shall implement the corrective action and reinitiate sampling and analysis for the constituent(s) per Condition (1). Within 30 days after receiving written notification, The Dow Chemical Company may appeal the corrective action determined by the department. During the full period of corrective action determination and implementation this delisting exclusion of solvents/EDC process wastewater effluent shall remain in effect unless the department notifies The Dow Chemical Company, in writing, of a suspension or rescission of all or part of this delisting exclusion. Sampling and analysis shall continue through this period as long as this delisting exclusion remains in effect.</p>

<b>Table 1 – Wastes Excluded</b>
<b>The Dow Chemical Company, Plaquemine, LA</b>
(3). Delisting Exclusion Levels The following delisting exclusion levels have been determined safe by taking into account health-based criteria and analytical method detection limits. Condition (3) concentrations shall be measured in the extract from samples by the appropriate method(s) specified in LAC 33:V. 4903.E, and shall be less than the following levels:
(3)(A). Organic Constituents in Solvents/EDC Process Wastewater Effluent Carbon Tetrachloride—0.057 mg/L; Methylene Chloride—0.089 mg/L.
(3)(B). Dioxins and Furans in Solvents/EDC Process Wastewater Effluent The 15 congeners listed in Section 1.1 of EPA Publication SW-846 Method 8290—(monitor only).
(4). Changes in F-700 Thermal Treatment Unit Operating Conditions or Waste Feed Streams If Blue Cube Operations LLC significantly changes operating conditions of the solvents/EDC production unit F-700 thermal treatment unit (incinerator) specified in the RCRA permit or delisting exclusion petition submitted by The Dow Chemical Company, adds any previously unpermitted waste feed streams to the incinerator, or significantly changes any waste feed profile described in the delisting exclusion petition, and any of these actions would justify a Class 3 modification to Blue Cube Operations LLC’s RCRA permit pertaining to this combustion unit, Blue Cube Operations, LLC shall notify the department, in writing. Following receipt of written acknowledgement by the department and after Blue Cube Operations LLC has implemented the changes, Blue Cube Operations, LLC shall collect and analyze a grab sample of solvents/EDC process wastewater effluent for the full listing of constituents found in 40 CFR part 264, appendix IX—Groundwater Monitoring List (LAC 33:V.3325). If appendix IX analysis results identify any hazardous constituent above delisting exclusion levels, or above universal treatment standards at 40 CFR 268.48, then Blue Cube Operations, LLC shall reinstitute Condition (1) testing for a minimum of six months, or until the department determines, in writing, that no more monitoring is required. This conditional delisting exclusion of solvents/EDC process wastewater effluent shall remain in effect until the department deems circumstances warrant suspending, amending, or terminating this delisting exclusion. Blue Cube Operations LLC may eliminate feeding any waste stream to the incinerator at any time without affecting this delisting exclusion of the solvents/EDC process wastewater effluent or any monitoring schedule.

<b>Table 1 – Wastes Excluded</b>
<b>The Dow Chemical Company, Plaquemine, LA</b>
The Solvents East Ditch (owned by The Dow Chemical Company) historically receives process wastewater effluent from the solvents/EDC production unit, formerly owned and operated by The Dow Chemical Company, but currently owned and operated by Blue Cube Operations LLC since October 5, 2015. Blue Cube Operations LLC generates solvents/EDC process wastewater effluent from an air pollution control system (wet scrubbing) that treats combustion gas produced from RCRA-permitted F-700 thermal treatment unit (incinerator), which burns chlorinated organic wastes carrying EPA listed hazardous waste numbers K016, K019, U044, U045, U077, U080, U083, U210, U211, U227, and F024. The specific hazardous wastes combusted and their EPA hazardous waste numbers are: Solvent Heavies (Tank D-700) – D001, D019, D022, D028, D032, D033, D034, D035, D039, and D040; EDC Heavies (Tank T-107) – D001, D018, D019, D022, D028, D032, D033, D035, D039, D040, K019, U077, and U227; Hexes (Tanks D-13/D-15) – D019, D032, D033, D034, D039, K016, U210, and U211; Chlorine Taffy (from chlorine unit) – D019, D022, D032, D033, D034, and D039; General Waste (Tank D-42) – D001, D019, D022, D028, D032, D033, D034, D039, K016, K019, U044, U077, U080, U083, U210, and U211; VRU Waste (Tank D-930) – D001, D019, D022, D028, D033, D039, U044, U077, U080, U210, and U211; Glycol Ethers/PDC (from Dow’s glycol unit) – D001, D019, D022, D028, D032, D035, and D039. The Solvents East Ditch sediment also carries the same aforementioned waste numbers (including U045 and F024, associated with past operations only). The Dow Chemical Company shall implement a sampling and analysis monitoring program that meets the following conditions for this hazardous waste number delisting exclusion to remain in effect.

<b>Table 1 – Wastes Excluded</b>
<b>The Dow Chemical Company, Plaquemine, LA</b>
(1). Testing For monitoring purposes, Solvents East Ditch sediment samples for analysis shall either be: a) in-situ ditch sediment collected according to an LDEQ-approved sampling and analysis plan; or b) solids filtered from solvents/EDC process wastewater effluent before it comingles with any other waste stream or process area stormwater runoff. Sample collections and analyses, including quality control procedures, shall be performed according to methodologies described in <i>Test Methods for Evaluating Solid Waste, Physical/Chemical Methods</i> , EPA Publication SW-846, as incorporated by reference in LAC 33:V.110. All samples shall be taken while the F-700 thermal treatment unit is operating between 2,000 – 4,800 lb/hr. All results, including quality control information, shall be reported to the department.
(1)(A). Initial Organic Verification Testing of Solvents East Ditch Sediment During the first six months after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a sample of Solvents East Ditch sediment for Condition (3)(A) – (organic constituents). After completing this initial test event, The Dow Chemical Company shall sample and analyze for Condition (3)(A) – (organic constituents) annually for up to three years afterward during the same operating period as the previous year’s sampling event. If the analytical results are significantly below Condition (3)(A) – (delisting exclusion levels), as determined by the department in writing, then The Dow Chemical Company may discontinue further organic monitoring of Solvents East Ditch sediment. Condition (1)(A) shall remain in effect on an annual basis indefinitely until the department makes this determination.
(1)(B). Polychlorinated Dibenzodioxins and Polychlorinated Dibenzofurans (Dioxins and Furans) Monitoring During the first 30 days after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a Solvents East Ditch sediment sample for Condition (3)(B) – (dioxins and furans). The Dow Chemical Company shall sample and analyze for Condition (3)(B) – (dioxins and furans) once every three years beginning three years after the initial sampling event and during the same operating month as the previous year’s sampling event. If the department determines, in writing, that analytical results are significantly below universal treatment standards, then The Dow Chemical Company may discontinue further monitoring of Solvents East Ditch sediment for dioxins and furans. Condition (1)(B) shall remain in effect indefinitely, until the department makes this determination.
(2). Waste Holding and Handling Subject to conditions of this delisting exclusion, Solvents East Ditch sediment becomes nonhazardous industrial solid waste. This newly delisted waste shall always be managed and/or disposed in accordance with all applicable solid waste regulations. If constituent levels in any representative sample equal or exceed any Condition (3) – Delisting Exclusion Levels, the Solvents East Ditch sediment shall be immediately resampled and reanalyzed for constituents that exceed delisting exclusion levels. If the repeat analysis is less than delisting exclusion levels, then The Dow Chemical Company shall resume Condition (1) – (sampling and analysis). If reanalysis results equal or exceed any delisting exclusion levels, then within 45 days The Dow Chemical Company shall submit a report to the department describing probable cause(s) for exceeding the constituent level and proposing corrective action measures. The department shall determine the necessary corrective action and shall notify The Dow Chemical Company of the corrective action needed. The Dow Chemical Company shall implement the corrective action and reinstate sampling and analysis for the constituent(s) per Condition (1). Within 30 days after receiving written notification, The Dow Chemical Company may appeal the corrective action determined by the department. During the full period of corrective action determination and implementation, this delisting exclusion of Solvents East Ditch sediment shall remain in effect unless the department notifies The Dow Chemical Company, in writing, of a suspension or rescission of all or part of this delisting exclusion. Sampling and analysis shall continue through this period, as long as this delisting exclusion remains in effect.

<b>Table 1 – Wastes Excluded</b>
<b>The Dow Chemical Company, Plaquemine, LA</b>
(3). Delisting Exclusion Levels The following delisting exclusion levels have been determined safe by taking into account health-based criteria and analytical method detection limits. Condition (3) concentrations shall be measured in the extract from samples by the appropriate method(s) specified in LAC 33:V. 4903.E. Concentrations in the extract shall be less than the following levels:
(3)(A). Organic Constituents in Solvents East Ditch Sediment Methylene Chloride—30.0 mg/kg.
(3)(B). Dioxins and Furans in Solvents East Ditch Sediment The 15 congeners listed in Section 1.1 of EPA Publication Number SW-846 Method 8290—monitor only, ug/kg.
(4). Changes in F-700 Thermal Treatment Unit Operating Conditions or Waste Feed Streams If Blue Cube Operations LLC significantly changes operating conditions of the solvents/EDC production unit F-700 thermal treatment unit (incinerator) specified in the delisting exclusion petition submitted by The Dow Chemical Company, adds any previously unpermitted waste feed streams to the incinerator, or significantly changes any waste feed profile described in the delisting exclusion petition, and any of these actions would justify a Class 3 modification to Blue Cube Operations LLC’s RCRA permit, Blue Cube Operations, LLC shall notify the department, in writing. Following receipt of written acknowledgement by the department and after Blue Cube Operations LLC has implemented the changes, Blue Cube Operations, LLC shall collect and analyze a Solvents East Ditch sediment sample for the full listing of constituents found in 40 CFR part 264, appendix IX—Groundwater Monitoring List (LAC 33:V.3325). If appendix IX analysis results identify any hazardous constituent above delisting exclusion levels, or above universal treatment standards at 40 CFR 268.48, then Blue Cube Operations, LLC shall reinstitute Condition (1) testing for a minimum of two six-month operating periods, or until the department determines, in writing, that no more monitoring is required. This conditional delisting exclusion of Solvents East Ditch sediment shall remain in effect until the department deems circumstances warrant suspending, amending, or terminating this delisting exclusion. Blue Cube Operations LLC may eliminate feeding any waste stream to the incinerator at any time without affecting the delisting exclusion of Solvents East Ditch sediment or any monitoring schedule.
(5). Changes in Analytical Profile of Solvents East Ditch Sediment. Solvents East Ditch sediment in-situ is excluded from certain EPA waste number categories presumptive upon the initial analysis for hazardous constituents in solids filtered from continuously generated solvents/EDC process wastewater effluent, as presented in the delisting exclusion petition submitted to LDEQ. This delisting exclusion does not extend to any additional hazardous waste numbers determined applicable subsequent to actual analysis of Solvents East Ditch sediment in-situ, nor absolve Blue Cube Operations, LLC from any management or corrective action that might be required.

<b>Table 2 – One-Time Wastes Excluded</b>
<b>Murphy Exploration and Production Company, Amelia, LA</b>
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<b>Table 2 – One-Time Wastes Excluded</b>
<b>Conrad Industries, Inc. (Conrad), Morgan City, LA</b>
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<b>Table 2 – One-Time Wastes Excluded</b>
<b>Marine Shale Processors, Inc., Amelia LA</b>
***

<b>Table 2 – One-Time Wastes Excluded</b>
<b>Chevron Oronite Company LLC – Oak Point Plant, Belle Chasse, LA</b>
***

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2180 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, LR 20:1000 (September 1994), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 21:944 (September 1995), LR 22:830 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:952 (August 1997), amended by the Office of

Environmental Assessment, Environmental Planning Division, LR 25:2397 (December 1999), LR 26:2509 (November 2000), LR 29:1084 (July 2003), promulgated LR 29:1475 (August 2003), amended by the Office of Environmental Assessment, LR 30:2464 (November 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 33:445 (March 2007), LR 33:825 (May 2007), LR 33:1016 (June 2007), LR 34:73 (January 2008), LR 34:1021 (June 2008), LR 34:1613 (August 2008), amended by the Office of the Secretary, Legal Division, LR 38:2757 (November 2012), LR 40:1692 (September 2014), LR 42:2179 (December 2016), LR 43:1149 (June 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 43:2139 (November 2017), amended by the Office of the Secretary, Legal Affairs Division, LR 49:59 (January 2023), LR 51:1134 (August 2025), LR 52:

#### **Family Impact Statement**

This proposed Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

#### **Poverty Impact Statement**

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

#### **Small Business Analysis**

This proposed Rule has no known impact on small business as described in R.S. 49:974.1 - 974.8.

#### **Provider Impact Statement**

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

#### **Public Comments**

All interested persons are invited to submit written comments on the proposed Rule. Persons commenting should reference this proposed Rule by HW139. Such comments must be received no later than December 2, 2025, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, by fax (225) 219-4068, or by E-mail to DEQ.Reg.Dev.Comments@la.gov. Copies of the proposed Rule can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of HW139. The proposed Rule is available on the Internet at <https://deq.louisiana.gov/page/monthly-regulation-changes-2025%20>.

#### **Public Hearing**

A public hearing will be held via Zoom on November 25, 2025, at 1:30 p.m. Interested persons are invited to attend and submit oral comments via PC, Mac, Linux, iOS or Android at <https://deqlouisiana.zoom.us/j/6836133613?omn=98072542> 430 or by telephone by dialing (646) 255-1997 using the meeting code 683 613 3613. Should individuals with a disability need an accommodation in order to participate, contact Doug Bordelon at the address given below or at (225) 219-1325.

The proposed Rule is available for inspection at the following LDEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 508 Downing Pines Road, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.



**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**  
**RULE TITLE: Exclusion of Wastes for The Dow  
Chemical Company, Plaquemine Plant**

Architects Selection Board (LAC 46:I.Chapter 21)

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO  
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

There are no anticipated implementation costs or savings to state or local governmental units as a result of the proposed rule change.

The proposed rule change seeks to exclude (delist) Solvents/EDC Process Wastewater Effluent and Solvents East Ditch Sediment from certain Environmental Protection Agency (EPA) hazardous waste number categories and establish monitoring conditions to maintain the delisting status.

The Dow Chemical Company is requesting a petition to exclude (delist) from the hazardous waste regulations the Solvents/EDC process wastewater effluent and Solvents East Ditch sediment that is generated from an air pollution control system (wet scrubbing) that treats combustion gas produced from F-700 TTU, which burns chlorinated organic wastes carrying EPA-listed hazardous waste. The delisting was requested to comply with the Consent Agreement and Final Order (CAFO) requirements directed by the EPA.

LAC 33:V.105.M allows a hazardous waste generator to petition the department for this kind of rulemaking when a listed hazardous waste does not meet any of the criteria that cause the material to be classified as a hazardous waste. Based on extensive testing, the department has determined that the nature of this material does not warrant retaining it as a hazardous waste.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE  
OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no anticipated effect on revenue collections of state or local governmental units as a result of the proposed rule change.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO  
DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR  
NONGOVERNMENTAL GROUPS (Summary)**

Assuming the delisting petition is granted, the Dow Chemical Company benefits from the delisting of the solvents/EDC process wastewater effluent and Solvents East Ditch sediment. The delisting will not relieve the company from any liability for these wastes under federal or state law. This option may produce an economic benefit for the facility. The delisting of the solvents/EDC process wastewater effluent and Solvents East Ditch sediment will enable the facility to avoid managing the effluent and sediment in accordance with Resource Conservation and Recovery Act (RCRA) disposal standards. If the delisting is approved, the facility does not have to remove, haul, or transport the effluent and sediment to a hazardous waste facility, reducing the impact of traffic and stress on the roadways.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT  
(Summary)**

There are no anticipated effects on competition or employment in the public or private sectors as a result of the proposed rule change.

Jill C. Clark  
General Counsel  
2510#023

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

Notice is hereby given that the Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), proposes to amend many of the Sections in LAC 46:I.Chapter 21 pertaining to the election of members of the Architects Selection Board. More specifically, the board gives notice that it proposes to amend LAC 46:I.2103 pertaining to nominations, LAC 46:I.2107 pertaining to ballots, LAC 46:I.2109 pertaining to voting, LAC 46:I.2113 pertaining to tabulation, LAC 46:I.2115 pertaining to tie, LAC 46:I.2117 pertaining to vacancies, and LAC 46:I.2119 pertaining to election contest.

Act 192 of 2024 mandated that all state agencies which make rules (i) systematically review in accordance with stated criteria a sufficient number of rules each year so that all rules have been reviewed within a five-year period and (ii) submit a report of their review to the appropriate legislative oversight committee. Executive Order JML 25-038 issued April 1, 2025, mandated that by December 31, 2025, state agencies review at least 50 percent of the rules listed in the order or a minimum of 100 rules, whichever is greater. Each rule should be evaluated to determine if it is necessary, consistent with the law, aligned with the agency's mission, and otherwise complies with the legislation described therein. The list of rules to be reviewed under the executive order included LAC 46:I.2101-2115 and LAC 46:I.2119.

Applying the criteria required by Act 192 and EO JML 25-035, the board reviewed Chapter 21 of its rules (LAC 46:I.Chapter 21) and determined that a number of the rules in Chapter 21 should be modernized, simplified, and clarified. The amendments proposed herein allow for email transmissions to submit nominations (LAC 46:I.2103), distribute and return ballots (LAC 46:I.2107 and LAC 46:I.2109), and provide notice of election results to the candidates (LAC 46:I.2113 and LAC 46:I.2119); provide for online voting (LAC 46:I.2109); provide for the electronic tabulation of votes (LAC 46:I.2113); clarify that only properly licensed architects residing in Louisiana are eligible to vote (LAC 46:I.2107, LAC 46:I.2109, and LAC 46:I.2115); provide that an architect previously nominated but not elected will receive notice of any vacancy of the person elected (LAC 46:I.2117); and provide for related matters.

**Title 46**  
**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part I. Architects**

**Chapter 21 Architects Selection Board**  
**§2101. Districts**

A. Only one architect may be elected from each of the districts set forth in R.S. 38:2311(A)(1)(a).

B. If the parishes comprising any district or if the number of districts are changed by the legislature, these rules shall be revised to be consistent with the latest expression of the legislature without the need of formal action by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:575 (April 2003), repromulgated LR 52:

### **§2103. Nominations**

A. For terms commencing September 15 of each year, the board will accept nominations for election to the Architects Selection Board on the following basis: any resident architect holding a current Louisiana license desiring nomination must deliver or email to the board office by June 1 at 5 p.m. a written nomination on a current form and/or reproduction obtained from the board office signed by not less than 10 resident architects other than the nominee holding a current Louisiana license between May 1 and May 31 preceding the election. The nomination shall state the parish in which the nominee resides and the district for which election is sought. Nominations received on or before such deadline shall be considered timely delivered. If no nomination for a district is received by the deadline, the board may accept a later nomination for that district in its discretion. Confirmation of receipt is the sole responsibility of the nominee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:575 (April 2003), amended LR 52:

### **§2105. Waiver of Election**

A. If only one resident architect is nominated from any district, no election shall be held in that district, and that nominee shall be deemed elected without any further activity of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:575 (April 2003), repromulgated LR 52:

### **§2107. Ballots**

A. If an election is necessary, an official ballot will be emailed to each properly licensed architect residing in Louisiana at their last email address provided to the board approximately three weeks after the closing date for nominations. On the ballot shall be printed the names of the candidates for each district in alphabetical order, the deadline for voting, and any other information the board believes helpful in the election process. Attachments to the ballot may include biographical information provided by the candidates and instructions.

B. If the ballot emailed by the board is lost, misplaced or not received, an architect desiring to vote may request from the board a substitute or replacement ballot.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:575 (April 2003), amended LR 52:

### **§2109. Voting**

A. Only properly licensed architects residing in Louisiana shall have the right to vote. A resident architect may vote in one or more but less than all district elections, and no ballot shall be voided for that reason.

B. The resident architect shall complete and submit the ballot as instructed and vote online.

C. The ballot shall not be valid unless the license number and last name of the voting architect appear on the ballot.

D. No write-in candidates will be allowed, and any ballot containing a vote for a write-in candidate will be voided. Any ballot containing more than one vote for candidates in one district will be entirely voided.

E. The deadline for returning the ballots will be fixed by the executive director and will be at least 14 calendar days after the ballots are emailed to all resident architects. Ballots received after the deadline shall not be counted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), amended LR 52:

### **§2111. Plurality**

A. The candidate elected in each district will be based on plurality.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), repromulgated LR 52:

### **§2113. Tabulation**

A. Tabulation of the votes shall be done electronically. The executive director will notify the candidates of the results by email.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), amended LR 52:

### **§2115. Tie**

A. ...

B. If a run-off election is necessary, an official ballot will be emailed to each properly licensed architect residing in Louisiana approximately two weeks after it has been determined that such an election is necessary.

C - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), amended LR 52:

### **§2117. Vacancies**

A. Any vacancy occurring with respect to any person elected shall be filled in the following manner:

1. the executive director shall give notice of the vacancy to any person who has previously requested such notice in writing and to any architect previously nominated but not elected for the district in which the vacancy has occurred; and

2. the executive director shall also publish in the official journal of the state an advertisement which will appear for a period of not less than 10 calendar days:

a. the advertisement in the official journal of the state need not appear more than three times during the 10-day period;

b. the executive director may publish other such advertisements in his or her discretion;

c. the advertisements shall:

i. identify the district in which a vacancy has occurred; and

ii. state that any resident architect in that district holding a current Louisiana license desiring nomination:

(a). must furnish a nomination signed by not less than 10 resident architects holding a current Louisiana license by certified mail or email to the board office;

(b). that a sample of the nomination form may be obtained upon request from the board office, the deadline for filing the nomination; and

(c). any other information the board may consider necessary.

3. - 4. ...

B. If the deadline for submission of nominations has passed and (i) the board has not received a nomination from a qualified architect for election to a district that will become vacant on September 15 or (ii) no architect has been nominated or elected to fill a vacancy on the Architects Selection Board that will occur on September 15 for some other reason, the board shall attempt to fill the upcoming vacancy by repeating the procedures described in the preceding Subsection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), amended LR 35:949 (May 2009), amended LR 52:

### §2119. Election Contest

A. The executive director will notify the candidates of the results of the election by email. The 10 calendar days for contesting an election shall commence three work days (excluding Saturdays, Sundays, and legal holidays) after the results of the election are emailed by the executive director.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:577 (April 2003), amended LR 52:

### Family Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(i) and 972, the following Family Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed Rules have no known impact on family formation, stability, or autonomy.

### Poverty Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(ii) and 973, the following Poverty Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed Rules have no known impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

### Small Business Analysis

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors, has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

### Provider Impact Statement

In accordance with HCR 170 of the 2014 Regular Legislative Session, the following Provider Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed Rules have no known effect on the staffing level requirements or qualifications required to provide the same level of service, the cost to the provider to provide such services, or the ability of the provider to provide the same level of service.

### Public Comments

Interested persons may submit written comments on the proposed Rules to Tyson Ducote, Executive Director, Louisiana State Board of Architectural Examiners, 9625 Fenway Avenue, Suite B, Baton Rouge, LA 70809. All comments must be submitted by 4:30 pm on November 14, 2025.

Tyson Ducote  
Executive Director

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Architects Selection Board

### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes are anticipated to result in a saving of approximately \$1,381 per year for the Board of Architectural Examiners.

The board conducts the elections of the members of the Architects Selection Board. Existing rules provide that the process for submitting nominations, distribution of ballots, voting, and notifications be done by mail and that the tabulation of votes be done manually. The proposed rule changes will allow the nomination process, distribution of ballots, voting, tabulation of voting, and notifications to be done electronically.

### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes have no anticipated effect on the revenue collections of state or local governmental units. No revenues related to the election of the members of the Architects Selection Board are collected by the board.

### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes simplify and modernize the procedures for the election of the members of the Architects Selection Board by allowing the nomination process, distribution of ballots, voting, tabulation of votes, and

notifications to be done electronically. Although the nomination process for candidates will become somewhat simpler, the board does not anticipate any increase or decrease in costs or economic benefits to directly affected persons, small businesses, or non-governmental groups that can be measured or calculated.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will not affect competition or employment.

Tyson J. Ducote  
Executive Director  
2510#017

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

### NOTICE OF INTENT Office of the Governor Board of Architectural Examiners

Organization (LAC 46:I.Chapter 3)

Notice is hereby given that the Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), proposes to amend LAC 46:I.301 pertaining to its executive director, LAC 46:I.303 pertaining to its officers, LAC 46:I.305 pertaining to its other personnel, LAC 46:I.307 pertaining to its meetings, LAC 46:I.309 pertaining to its minutes, LAC 46:I.313 pertaining to the quorum for meetings, LAC 46:I.315 pertaining to its official records, and LAC 46:I.317 pertaining to the National Council of Architectural Registration Boards (NCARB). In addition, the board proposes to adopt a new rule, LAC 46:I.319 pertaining to the powers and duties of the board.

Act 192 of 2024 mandated that all state agencies which make rules (i) systematically review a sufficient number of rules each year so that all rules have been reviewed within a five-year period and (ii) submit a report of their review to the appropriate legislative oversight committee. Executive Order JML 25-038 issued April 1, 2025, mandated that by December 31, 2025, state agencies review at least 50 percent of the rules listed in the order or a minimum of 100 rules, whichever is greater. Each rule should be evaluated to determine if it is necessary, consistent with the law, aligned with the agency's mission, and otherwise complies with the legislation described therein. The list of rules to be reviewed under the executive order included LAC 46:I.301-305 and LAC 46:I.309-315.

Applying the criteria required by Act 192 and EO JML 25-035, the board reviewed Chapter 3 of its rules (LAC 46:I.Chapter 3). It decided that amendments of the rules contained herein should be made and that proposed LAC 46:I.319 pertaining to the powers and duties of the board should be adopted. The proposed amendments to LAC 46:I.301, LAC 46:I.303, and LAC 46:I.305 pertaining respectively to the executive director, the officers of the board, and other personnel of the board describe more completely and accurately the duties of such persons as presently exists. The proposed amendments to LAC 46:I.307, LAC 46:I.309, and LAC 46:I.313 pertaining respectively to board meetings, the minutes of meetings, and the necessary quorum for meetings describe more

completely and accurately the meetings, minutes, and quorum of the board as presently exists. The proposed amendment to LAC 46:I.315 pertaining to the official records of the board describes more completely and accurately the existing records maintained by the board. The proposed amendment to LAC 46:I.317 pertaining to the NCARB describes more completely and accurately the relationship between the board and NCARB. Proposed LAC 46:I.319, which is new, sets forth more completely the powers and duties of the board.

### Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part I. Architects

#### Chapter 3. Organization

##### §301. Executive Director

A. ...

B. The executive director is responsible for the day-to-day operations of the board office. The board delegates to the executive director certain responsibilities to properly fulfill the board's duties, which may include, but are not limited to, the following:

1. oversee the issuance of licenses for board approval;
2. oversee the investigations of complaints and present proposed adjudications for board action;
3. act as the board's agent with banks and financial institutions and as the board's primary signatory on all checks, and make financial decisions on behalf of the board within the scope of these rules;
4. develop the budget for board approval;
5. collect fees and monitor the expenditure of funds;
6. contract for required business services;
7. report key operations performance measures to the board;
8. engage the board in planning and implementing the strategic plan;
9. oversee and evaluate all staff;
10. facilitate communication to and among board members and make arrangements for board meetings;
11. serve as an agent of the board when communicating with other jurisdictional agencies and the public;
12. issue meeting minutes, reports, and notices required of the board;
13. possess on behalf of the secretary the official records of the board; and
14. perform such administrative, ministerial, and other duties as the board may assign from time to time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Architectural Examiners, LR 4:333 (September 1978), amended LR 10:738 (October 1984), amended by the Office of the Governor, Board of Architectural Examiners, LR 29:559 (April 2003), amended LR 52:

##### §303. Officers

A. The board shall elect a president and a secretary, 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 of the ensuing year.

B. The president shall preside at all meetings, appoint all committees, sign all licenses issued, and perform all other duties pertaining to his office.

C. The secretary shall, with the assistance of such executive and clerical help as may be required:

1. be the official custodian of the records of the board and of the seal of the board and see that the seal of the board is affixed to all appropriate documents;

2. sign, with the president, certificates of licensure;

3. sign the minutes of the board meetings after the minutes have been approved by the board; and

4. assume the responsibilities of the president in his absence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Adopted by the Department of Commerce, Board of Architectural Examiners, December 1965, amended May 1973, amended and promulgated LR 4:333 (September 1978), amended LR 10:737 (October 1984), amended by the Office of the Governor, Board of Architectural Examiners, LR 29:559 (April 2003), amended LR 52:

### §305. Other Personnel

A. The board may employ such executive, clerical, and other assistance, including an executive director, as is necessary, and shall rent office space as necessary to house the staff and records.

B. In discharging its responsibilities, the board may engage private counsel or, as prescribed in law, utilize the services of the attorney general. The board may also employ such accountants, auditors, investigators, and professionals as it deems necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Architectural Examiners, LR 4:333 (September 1978), amended LR 10:738 (October 1984), amended by the Office of the Governor, Board of Architectural Examiners, LR 29:559 (April 2003), amended LR 52:

### §307. Meetings

A. - D. ...

E. A record of all board meetings shall be maintained in accordance with the Open Meetings Law.

F. Each board member shall be given a daily allowance and itemized reimbursement in compliance with state law for expenses related to board meetings and other board-related business, including attending NCARB regional and national meetings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Adopted by the Department of Commerce, Board of Architectural Examiners, December 1965, amended May 1973, amended and promulgated LR 4:333 (September 1978), amended LR 10:738 (October 1984), repromulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:559 (April 2003), amended LR 50:1154 (August 2024), LR 52:

### §309. Minutes

A. Written minutes of all meetings shall be prepared by the executive director in accordance with R.S. 42:20 of the Open Meetings Law. As soon as the minutes are prepared, the executive director shall provide them to the members of the board for their comments. The minutes shall be signed by the secretary and the president at the next regular meeting after the board has approved them

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Adopted by the Department of Commerce, Board of Architectural Examiners, December 1965, amended May 1973, amended and promulgated LR 4:333 (September 1978), repromulgated LR 10:738 (October 1984), amended by the Office of the Governor, Board of Architectural Examiners, LR 29:559 (April 2003), amended LR 52:

### §311. Conduct of Meetings

A. 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.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Adopted by the Department of Commerce, Board of Architectural Examiners, December 1965, amended May 1973, amended and promulgated LR 4:333 (September 1978), repromulgated LR 10:738 (October 1984), repromulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:559 (April 2003), repromulgated LR 52:

### §313. Quorum

A. A majority of the total membership of the board constitutes a quorum. All actions of the board shall be by a majority of the members present at a meeting at which a quorum is present.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Architectural Examiners, LR 4:333 (September 1978), amended LR 10:738 (October 1984), amended by the Office of the Governor, Board of Architectural Examiners, LR 29:559 (April 2003), amended LR 52:

### §315. Official Records

A. 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. Such records may be kept in paper or electronic format and may include but are not limited to:

1. minutes of all meetings of the board;

2. the name and license number of all individuals to whom certificates are issued, the last known address of all registrants, and all current renewals effected through annual renewals;

3. the name and license number of all firms to whom firm licenses are issued, the last known address of all firms, and all current renewals effected through annual renewals;

4. an individual file for each registrant containing the original application, relevant verification and evaluation data, examination dates, scores, and date of original registration;

5. an individual file for each firm containing its original application, relevant verification and evaluation data, and date of original registration;

6. alleged violations and any revocation, rescission and suspension of licenses; and

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

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Architectural Examiners, LR 4:333 (September 1978), amended LR 10:738 (October 1984), amended by the Office of the Governor, Board of Architectural Examiners, LR 29:559 (April 2003), amended LR 52:

**§317. National Council of Architectural Registration Boards**

A. ...

B. The board will cooperate with NCARB in establishing uniform standards of professional qualification throughout the jurisdiction of NCARB.

C. Out of the funds of the board each board member shall be compensated equal to the rate of compensation allowable for members of the legislature for each day in attending board meetings and hearings, attending NCARB regional and national meetings, issuing certificates and licenses, necessary travel, and discharging other duties, responsibilities, and powers of the board. In addition, out of said funds each board member, the executive director, and the board attorney shall be reimbursed reasonable and necessary travel, meals, lodging, clerical, and other incidental expenses incurred while performing the duties, responsibilities, and powers of the board, including but not limited to performing the aforesaid specific activities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144-45.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Architectural Examiners, December 1965, amended May 1973, amended and promulgated LR 4:334 (September 1978), amended LR 10:738 (October 1984), LR 12:760 (November 1986, amended by the Department of Economic Development, Board of Architectural Examiners, LR 15:732 (September 1989), amended by the Office of the Governor, Board of Architectural Examiners, LR 29:560 (April 2003), LR 30:1476 (July 2004), amended LR 52:

**§319. Powers and duties of the board**

A. In addition to the powers and duties in R.S. 37:144, the board shall perform its duties and transact its business, including, but not limited to:

1. acknowledge and approve the lists of licensees and certificates issued;
2. review complaints and adjudicate enforcement cases brought under the Architect Licensing Law and these rules;
3. make, adopt, amend, and repeal rules;
4. monitor the budget and operations via key performance measures;
5. strategically plan the focus and initiatives of the board;
6. review and comment on NCARB resolutions for the jurisdictional submittal process consistent with NCARB Bylaws;
7. discuss business matters and authorize the board's voting delegate to represent the board's interest at the NCARB regional and annual business meetings;
8. review and respond to requests to assist the state legislative and executive branch processes;
9. review and respond to other matters as they arise; and
10. make available for public access the names of all licensed persons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 52:

**Family Impact Statement**

In accordance with R.S. 49:961(A)(2)(h)(i) and 972, the following Family Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*.

The proposed Rule has no known impact on family formation, stability, or autonomy.

**Poverty Impact Statement**

In accordance with R.S. 49:961(A)(2)(h)(ii) and 973, the following Poverty Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed Rule has no known impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

**Small Business Analysis**

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors, has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

**Provider Impact Statement**

In accordance with HCR 170 of the 2014 Regular Legislative Session, the following Provider Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed Rule has no known effect on the staffing level requirements or qualifications required to provide the same level of service, the cost to the provider to provide such services, or the ability of the provider to provide the same level of service.

**Public Comments**

Interested persons may submit written comments on the proposed Rules to Tyson Ducote, Executive Director, Louisiana State Board of Architectural Examiners, 9625 Fenway Avenue, Suite B, Baton Rouge, LA 70809. All comments must be submitted by 4:30 pm on November 14, 2025.

Tyson Ducote  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

**RULE TITLE: Organization**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule changes are not anticipated to result in any costs or savings to state or local governmental units.

The proposed changes merely clarify and codify the existing and long-standing operations and practices of the State Board of Architectural Examiners. More specifically, the proposed rules clarify and codify the already existing operations and practices of the board concerning:

1. The delegation of certain responsibilities to the executive director, who is responsible for the day-to-day operations;
2. The duties of the board officers (president and secretary);
3. The employment of personnel currently employed;
4. The number, attendance, minutes, conduct, and quorum of board meetings;
5. The official records maintained by the board;
6. The relationship of the board to the National Council of Architectural Registration Boards; and

7. The powers and duties of the board.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
The proposed rule changes have no anticipated effect on the revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)  
There are no anticipated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
The proposed rule changes have no anticipated effect on competition or employment.

Tyson Ducote  
Executive Director  
2510#018

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Office of the Governor  
Division of Administration  
Office of State Procurement**

**Procurement Protest Bonds (LAC 34:V.Chapter 16)**

In accordance with provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Office of the Governor, Division of Administration, Office of State Procurement, proposes to create Chapter 16 of LAC 34:V. Procurement. The rules will be added to implement, in part, Act 5 of the 2025 Regular Session. The Act created a protest bond to stay procurement proceedings during protests, for which this rulemaking will provide forms and procedures.

**Title 34**

**GOVERNMENT CONTRACTS, PROCUREMENT,  
AND PROPERTY CONTROL**

**Part V. Procurement**

**Chapter 16. Procurement Protest Bonds**

**§1601. Purpose**

A. This Chapter implements the system of procurement protest bonds and related provisions set forth in R.S. 39:1671(F), particularly as amended by Act 5 of the 2025 Regular Legislative Session.

B. These rules implement and prescribe the form of the protest bond or security to be used when seeking a stay of a contract award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1581 and 39:1671.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of State Procurement, LR 52:

**§1603. Procedures**

A. A protestor who has timely protested an award in accordance with R.S. 39:1671(A) may apply for a stay of such award in strict accordance with the following procedures:

1. The protestor must apply for the stay of an award during the protest period provided in R.S. 39:1671(A).

2.a. The protestor must present during the protest period provided in R.S. 39:1671(A) a surety bond, cashier's check, or certified check to the Office of State Procurement as security. In no circumstance will cash, EFT, credit card,

other valuables, or a personal or similar business check be accepted.

b. If the protestor elects to present a bond, the bond must be posted with a good and solvent surety or insurance company currently on the U.S. Department of the Treasury Financial Management Service list of approved bonding companies which is published annually in the Federal Register, or a Louisiana domiciled insurance company with at least an A-rating in the latest printing of the A.M. Best's Key Rating Guide to write individual bonds up to 10 percent of policyholders' surplus.

c. If the protestor elects to present a cashier's check or certified check as security, such check must be drawn on a bank, credit union, or savings institution which is insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, payable at sight or unconditionally assigned.

3.a. The bond or security shall be presented to the Office of State Procurement in a form approved by the Office of State Procurement, as detailed in Section 1605 of this Chapter.

b. For delivery in person, by package service, or USPS:

Office of State Procurement  
Attn: OSP Director / State CPO  
Suite 2-160, Claiborne Bldg.  
1201 N Third St., Baton Rouge, LA 70802

4. The amount of the bond or other security submitted shall be in accordance with R.S. 39:1671(F)(2).

5. Any surety bond, cashier's check, or certified check presented must be valid on its face for a period of at least 6 months from the date of issuance. In the event the surety bond, cashier's check, or certified check contains an expiration date or otherwise expires or lapses prior to final resolution of the protest, it shall be the responsibility of the protestor to immediately provide a replacement, working with the surety if applicable, without prompting by the Office of the State Procurement. Expiration or lapsing of a surety bond, cashier's check, or certified check without timely remedy may be grounds for lifting of the stay of award without relieving the protestor of any liability it may have for claims against the amount of the bond, cashier's check or certified check initially pledged, in the event the protest is eventually rejected.

6. The Office of State Procurement shall be the obligee and custodian of the bond, cashier's check, or certified check until the protest and stay have been finally resolved. The Office of State Procurement shall not deposit or access such funds or draw interest on them.

7. Any protestor may request at any time to irrevocably cancel or lift their own stay, and request the return of the bond or security without penalty. The Office of State Procurement may approve or deny such a request.

8. If the protest is upheld and the award is cancelled, or if the award or solicitation is cancelled prior to final resolution of the protest, or if the protestor succeeds in an administrative or judicial appeal of an adverse protest decision, the bond or security shall be returned to the person who submitted same without penalty or delay, or securely destroyed after a period of 90 days thereafter if return is not practicable.

9. If the protest is rejected, and the award is upheld, a claim may be made against the bond or security by the using agency in an amount equal to the expenses incurred and other monetary losses suffered by the state resulting from the unsuccessful protest.

10. The State Chief Procurement Officer shall hold an informal hearing on the claim and may elect to use a briefing process to enable all parties to address the claim amount(s).

11. Upon proof presented at the informal hearing, the State Chief Procurement Officer shall determine the amount of expenses incurred and other monetary losses suffered by the state resulting from the unsuccessful protest. The state may allow the protestor to choose to satisfy payment of the amount by other means (for example, by remitting funds directly by wire in lieu of a claim against the surety bond, or providing a new cashier's check for the net amount as a substitute of the original security's face amount), but the original bond or security shall not be released until the amount owed has been satisfied entirely.

12. If there has been no specific claim amount determined by the state chief procurement officer against the bond or security within 90 days after the final disposition of the protest (that is, 90 days after the protest decision if not appealed, or 90 days after the final appeal decision if appealed), the protestor may request the return or secure destruction of the bond or security without penalty, such permission not to be unreasonably withheld.

13. Failure by the protestor and/or the surety to comply with the provisions of this Chapter may be evaluated as an indicator of responsibility for the protestor and/or the surety, and accordingly may also constitute a cause for debarment of the protestor and/or surety in accordance with R.S. 39:1672(C).

14. Any value remaining in the bond or security after resolving and paying out the determined amount(s) shall be returned to the person who posted the bond or security without delay.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1581 and 39:1671.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of State Procurement, LR 52:

**§1605. Forms**

A. The Procurement Protest Surety Bond form indicated in this Section, or its successor published by the Office of State Procurement, shall be completed in full and submitted to the Office of State Procurement in accordance with this Chapter, in lieu of the Procurement Protest Security Collateral form.

B. The Procurement Protest Security Collateral form indicated in this Section, or its successor published by the Office of State Procurement, shall be completed in full and submitted to the Office of State Procurement to accompany any security collateral check presented in accordance with this Chapter, in lieu of the Procurement Protest Surety Bond form.

**STATE OF LOUISIANA - PROCUREMENT PROTEST SURETY BOND**

(“Surety Bond”)

- 1. Using Agency/Dept.: \_\_\_\_\_
- 2. Solicitation Title/No.: \_\_\_\_\_ (“Solicitation”)
- 3. Protestor Legal Name: \_\_\_\_\_ (“Protestor”)
- 4. Protestor Contact Person: \_\_\_\_\_
- 5. Protestor Legal Domicile: \_\_\_\_\_
- 6. Protestor Entity Type:     Corporation                       Partnership                       Sole Proprietor  
    LLC / LLP                               Non-Profit                               JV / Other
- 7. Surety Legal Name: \_\_\_\_\_ (“Surety”)
- 8. Surety Contact Person: \_\_\_\_\_
- 9. Surety Mailing Address: \_\_\_\_\_
- 10. “Bond Amount”: \_\_\_\_\_
- 11. Bond Reference ID/No.: \_\_\_\_\_
- 12. “Obligee”:                      State of Louisiana, Division of Administration, Office of State Procurement

KNOW ALL PERSONS BY THESE PRESENTS:



The above-named Protestor and Surety, each duly authorized to do business in the State of Louisiana, are held and firmly and securely bound unto the Obligee in the Bond Amount indicated in Dollars, good and lawful money of the United States of America, for the payment of which sum we, as Protestor and Surety, bind ourselves, our heirs, personal representatives, successors and assigns, jointly and severally.

The Protestor has initiated an administrative protest with the Chief Procurement Officer for the State of Louisiana, regarding an award issued in the above-named and numbered Solicitation. This Surety Bond is intended to comply with the requirements of R.S. 39:1671(F), as amended by Act 5 of 2025, and LAC 34:V.16, to grant the Protestor a stay of the award issued in the above-named and numbered solicitation.

NOW, THEREFORE, the condition of this Surety Bond is that if the Protestor, after conclusion or termination of the administrative and (if applicable) the judicial review process regarding the protest, does not prevail and the award is upheld, this Surety Bond shall be forfeited to the State of Louisiana to the extent of the amount equal to the expenses incurred and other monetary losses suffered by the State of Louisiana resulting from the unsuccessful protest. In the event the Protestor prevails, then the obligation shall be null and void; otherwise, it shall remain in full force and effect.

Upon official written notification to the Surety by the State of Louisiana that the Protestor has not prevailed, and that a specific final claim amount has been determined by the State Chief Procurement Officer in accordance with R.S. 39:1671(F) and LAC 34:V.16, the Surety Bond shall be forfeited and the Surety agrees to immediately remit the specified amount to the Obligee or as directed by the State Chief Procurement Officer, equal to the expenses incurred and other monetary losses suffered by the State of Louisiana resulting from the Protestor's unsuccessful protest to the award of the Solicitation. In the event the Surety fails to pay the Obligee in accordance with this paragraph, the Obligee may bring an action to enforce this Surety Bond in accordance with its terms. The Surety Bond, any dispute, claim or controversy relating to the Surety Bond, and all rights and obligations of the parties shall, in all respects, be interpreted, construed, enforced and governed under the Louisiana Procurement Code (La. R.S. 39:1551-1755).

The Protestor and Surety certify that the Surety is a surety or insurance company currently on the U.S. Department of the Treasury Financial Management Service list of approved bonding companies which is published annually in the *Federal Register*, or a Louisiana domiciled insurance company with at least an A-rating in the latest printing of the *A.M. Best's Key Rating Guide* to write individual bonds up to 10 percent of policyholders' surplus as shown in the A.M. Best's Key Rating Guide.

By signing, each signatory attests that all information presented is true and correct to the best of their knowledge and belief, and that the signatory has been duly authorized to bind and present this Surety Bond to the State of Louisiana on behalf of the entity they represent. Power of Attorney or other signature authority is attached hereto.

Notarized Execution by Protestor

Protestor Legal Name: \_\_\_\_\_

Protestor Signature: \_\_\_\_\_

Signatory Name, Title: \_\_\_\_\_

(Corporate Seal)

STATE OF \_\_\_\_\_

PARISH/COUNTY OF \_\_\_\_\_

On this day of \_\_\_\_\_, 20\_\_\_\_, before me appeared \_\_\_\_\_, known or identified to me to be the person(s) described, and who being duly sworn, did say they are the \_\_\_\_\_ of the Protestor named in the Procurement Protest Surety Bond, that they are authorized to bind and present the Surety Bond on behalf of the Protestor to the State of Louisiana, and that the presentation of this Surety Bond is the free act and deed of the Protestor.

Notary Public Signature: \_\_\_\_\_

Notary Public Name: \_\_\_\_\_

Notary in the State of: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

*(Notarial Seal)*

*NOTE: The Notarized Execution by Surety is required along with this Notarized Execution by Protestor.*

Notarized Execution by Surety

Surety Legal Name: \_\_\_\_\_

Surety Signature: \_\_\_\_\_

Signatory Name, Title: \_\_\_\_\_

*(Corporate Seal)*

STATE OF \_\_\_\_\_

PARISH/COUNTY OF \_\_\_\_\_

On this day of \_\_\_\_\_, 20\_\_\_\_, before me appeared \_\_\_\_\_, known or identified to me to be the person(s) described, and who being duly sworn, did depose and say that they are the \_\_\_\_\_ of the Surety named in the Procurement Protest Surety Bond, and which executed said Surety Bond; that they know the corporate seal of the Surety; that the seal affixed to said Surety Bond is such corporate seal; and that the seal was so affixed properly and with full authorization on behalf of the Surety, thereby representing a valid act and deed of the Surety.

Notary Public Signature: \_\_\_\_\_

Notary Public Name: \_\_\_\_\_

Notary in the State of: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

*(Notarial Seal)*

**STATE OF LOUISIANA - PROCUREMENT PROTEST SECURITY COLLATERAL** (“Security Collateral”)

1. Using Agency/Dept.: \_\_\_\_\_
2. Solicitation Title/No.: \_\_\_\_\_ (“Solicitation”)
3. Protestor Legal Name: \_\_\_\_\_ (“Protestor”)
4. Protestor Contact Person: \_\_\_\_\_
5. Protestor Legal Domicile: \_\_\_\_\_
6. Protestor Entity Type:  Corporation  Partnership  Sole Proprietor  
 LLC / LLP  Non-Profit  JV / Other
7. Legal Name of Bank / Credit Union: \_\_\_\_\_ (“Bank”)
8. Bank Contact Person: \_\_\_\_\_
9. Bank Mailing Address: \_\_\_\_\_
10. “Security Amount”: \_\_\_\_\_
11. Security Type:  Cashier’s Check  Certified Check
12. Check Reference ID/No.: \_\_\_\_\_
13. “Obligee” or Payee: State of Louisiana, Division of Administration, Office of State Procurement

**KNOW ALL PERSONS BY THESE PRESENTS:**

The above-named Protestor, duly authorized to do business in the State of Louisiana, is held and firmly and securely bound unto the Obligee in the Security Amount indicated in Dollars, good and lawful money of the United States of America, for the payment to the Obligee of which sum Protestor binds itself, its heirs, executors, administrators, successors and assigns, by these presents. Said Security Amount is evidenced by a Check of the Security Type indicated above, drawn on the Bank, Credit Union, or Savings Institution (collectively “Bank”) indicated above, which is insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, payable at sight or unconditionally assigned to the Obligee.

The Protestor has initiated an administrative protest with the Chief Procurement Officer for the State of Louisiana, regarding an award issued in the above-named and numbered Solicitation. This Security Collateral is intended to comply with the requirements of R.S. 39:1671(F), as amended by Act 5 of 2025, and LAC 34:V.16, to grant the Protestor a stay of the award issued in the above-named and numbered solicitation.

NOW, THEREFORE, the condition of this Security Collateral is that if the Protestor, after conclusion or termination of the administrative and (if applicable) the judicial review process regarding the protest, does not prevail and the award is upheld, this Security Collateral shall be forfeited to the State of Louisiana to the extent of the amount equal to the expenses incurred and other monetary losses suffered by the State of Louisiana resulting from the unsuccessful protest. In the event the Protestor prevails, then the obligation shall be null and void; otherwise, it shall remain in full force and effect.

Upon official written notification to the Protestor by the State of Louisiana that the Protestor has not prevailed, and that a specific final claim amount has been determined by the State Chief Procurement Officer in accordance with R.S. 39:1671(F), as amended by Act 5 of 2025, and LAC 34:V.16, the Security Collateral shall be forfeited and the Protestor agrees to immediately remit the specified amount to the Obligee or as directed by the State Chief Procurement Officer, equal to the expenses incurred and other monetary losses suffered by the State of Louisiana resulting from the Protestor’s unsuccessful protest to the award of the Solicitation. In the event the Protestor fails to pay the Obligee in accordance with this paragraph, the Obligee may bring a claim to enforce this Security Collateral in accordance with its terms. The Security Collateral, any dispute, claim or controversy relating to the Security Collateral, and all rights and

obligations of the parties shall, in all respects, be interpreted, construed, enforced and governed under the Louisiana Procurement Code (La R.S. 39:1551-1755).

By signing, the signatory attests that all information presented is true and correct to the best of their knowledge and belief, and that the signatory has been duly authorized to bind and present this Security Collateral to the State of Louisiana on behalf of the Protestor.

Notarized Execution by Protestor

Protestor Legal Name: \_\_\_\_\_

Protestor Signature: \_\_\_\_\_

Signatory Name, Title: \_\_\_\_\_

*(Corporate Seal)*

STATE OF \_\_\_\_\_

PARISH/COUNTY OF \_\_\_\_\_

On this day of \_\_\_\_\_, 20\_\_\_\_, before me appeared \_\_\_\_\_, known or identified to me to be the person(s) described, and who being duly sworn, did say they are the \_\_\_\_\_ of the Protestor named in the Procurement Protest Security Collateral, that they are authorized to bind and present the Security Collateral on behalf of the Protestor to the State of Louisiana, and that the presentation of this Security Collateral is the free act and deed of the Protestor.

Notary Public Signature: \_\_\_\_\_

Notary Public Name: \_\_\_\_\_

Notary in the State of: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

*(Notarial Seal)*

C. The Office of State Procurement shall make technical corrections and improvements as needed to its forms, especially in response to user feedback, and shall freely make available on its website the current versions in an accessible format. The Office of State Procurement shall concurrently accept use of the formats set forth in the LAC.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1581 and 39:1671.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of State Procurement, LR 52:

**Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972

**Poverty Impact Statement**

It is anticipated that the proposed action will have no significant impact on:

- 1. household income, assets, and financial security;

- 2. early childhood or educational development;
- 3. employment and workforce development;
- 4. taxes and tax credits; or
- 5. child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

**Small Business Analysis**

The impact of the proposed Rule on small businesses has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act.

The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

**Provider Impact Statement**

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

**Public Comments**

Interested persons may submit written comments to Mr. Dirk Thibodeaux, Director of Special Projects, Office of State Procurement, P.O. Box 94095, Baton Rouge, LA 70804-9095 or email to Dirk.Thibodeaux@la.gov. He is responsible for responding to inquiries regarding this proposed Rule. All comments must be received by November 10, 2025, by close of business.

**Public Hearing**

A public hearing will be held on Monday, December 1, 2025, at 9:30 a.m. in the Marbois Room, on the first floor of the Claiborne Building, 1201 North Third Street, Baton Rouge, LA 70804. Should individuals with a disability need an accommodation in order to participate, contact Dirk Thibodeaux at the address given above in the Public Comments section or by email at Dirk.Thibodeaux@la.gov.

Tom Ketterer  
Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Procurement Protest Bonds**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

There are no anticipated costs or savings to state or local governmental units as a result of the proposed rule change. The rule, in compliance with Act 5 of the 2025 RS, implements the new procurement protest bond provided for in R.S. 39:1671(F). The rule provides for protest bond procedures and forms of protest bond security which will be accepted by the Office of State Procurement (OSP) to stay a procurement action during a protest filed under R.S. 39:1671(F).

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change may result in an increase in Self-Generated Revenue (SGR) for agencies who provide for a stay for execution of a protested solicitation or contract due to the requirement that protesters post a bond or another security approved by OSP, as required by Act 5 of the 2025 Regular Session, valued at 25% of the estimated contract value. If the protest is rejected and the original contract award is upheld, the agency may file a claim against the bond or security for expenses incurred and other losses suffered as a result of the stay. Any increase in revenues due to this provision will be dependent on the number of protests with stays that are filed and rejected and the total cost of the protested contracts.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

To the extent a person, small business, or non-governmental group files a protest and requests a stay of execution of a contract award, increased costs to these entities are expected. This cost is indeterminable but may equal to up to 25% of the protested awarded contract value. The bond or surety can be recouped by the paying entity in certain circumstances, as provided for in R.S. 39:1671(F) and the proposed rule.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change establishes the procedure that an entity filing a protest against a contract award must follow when providing a bond or security to the OSP in order to stay the execution of the protested award. This requirement could impose a financial barrier for some vendors who request a stay in the contract action, particularly smaller businesses or those with limited liquidity, potentially limiting the number of stays filed.

Tom Ketterer  
Director  
2510#040

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Office of the Governor  
Division of Administration  
Racing Commission**

Offtrack Wagering in Sports Book Lounge  
(LAC 35:XV.Chapter 126)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to adopt LAC 35:XV.Chapter 126. The proposed rule change would enact administrative rules and requirements in order for sports book lounges to operate pari-mutuel wagering per the authority granted by and requirements included in R.S. 4:213.

**Title 35**

**HORSE RACING**

**Part XV. Off-Track Wagering**

**Chapter 126. Offtrack Wagering in Sports Book Lounge**

**§12601. Plan of Operations for Sports Book Lounge**

A. Pursuant to R.S. 4:213(B), an association licensed by the Commission, who is the primary licensee operating at a pari-mutuel facility, who seeks to offer pari-mutuel wagering in the retail sports book lounge of a host entity, as defined in R.S. 4:211, shall first apply for an offtrack wagering facility license in accordance with racing laws including, but not limited to, R.S. 4:213 and 4:214. The association shall submit its agreement with the respective host entity to the Commission as part of the offtrack wagering license application. The agreement shall be subject to approval by the commission and Louisiana Gaming Control Board, prior to the approval of the application and offering offtrack wagering in a sports book lounge of a host entity.

B. Pursuant to R.S. 4:213(C), an association who holds a pari-mutuel live racing license, an offtrack wagering facility license, and a license, as defined in La. R.S. 27:353, for its eligible facility who seeks to offer pari-mutuel wagering in its retail sports book lounge shall petition the commission and Louisiana Gaming Control Board prior to offering pari-mutuel wagering in its sports book lounge. The petition shall include its proposed plan of operation, which shall be subject to approval by the commission and Louisiana Gaming Control Board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:213.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 52:

**§12603. Agreement for Sports Book Lounge**

A. The agreement required by R.S. 4:213(B) and LAC 35:XV.12601.A shall be in accordance with R.S. 4:213(B) and shall include, at a minimum, the following detailed terms:

1. The agreement shall explicitly state that all pari-mutuel wagering shall be conducted within the physical confines of the host entity's retail sports book lounge licensed in accordance with R.S. 27:601 et seq.;

2. A detailed proposed plan of design, including:

a. architect's rendering of floor plan and picture of the proposed pari-mutuel area in the sports book lounge;

b. placement of pari-mutuel self-betting terminals in the sports book lounge;

c. placement of pari-mutuel teller stands in the sports book lounge; and

d. placement of pari-mutuel cages in the sports book lounge;

3. The agreement shall contain a definitive statement that both the licensed association and the host entity shall, at all times, comply with the provisions of R.S. Titles 4 and 27 and any and all rules, regulations, and directives issued by the commission, the Louisiana Gaming Control Board, and the Louisiana State Police, Gaming Enforcement Division;

4. The agreement shall include a provision requiring that all pari-mutuel wagers shall be maintained in a separate and distinct account from all other sports wagers and other funds of the host entity;

a. The agreement must describe the accounting system and software that will be utilized in order to ensure the separation of funds.

5. The agreement shall grant the Louisiana State Police, Gaming Enforcement Division and any authorized representative of the commission or the Louisiana Gaming Control Board immediate and unrestricted access to all files, records, documents, film, tape, financial statements, and all data and information related to the pari-mutuel wagering operations. This includes, but is not limited to:

a. surveillance footage from all cameras that monitor the retail sports book lounge and pari-mutuel wagering areas;

b. access to all personnel and personnel information involved in pari-mutuel wagering operations; and

c. ability to conduct audits of the accounting system and software;

6. The agreement shall specify and include a detailed calculation of the compensation payments to the host entity in consideration for hosting, as required by La. R.S. 4:213(B)(3)(e) and shall specify the schedule for payments and method of payments in the agreement;

7. The agreement must clearly outline the process for the distribution of all commissions, fees, and other distributions as specified in Chapter 4 of R.S. Title 4; and

8. The agreement shall include any other provisions or requirements as determined by the commission, Louisiana Gaming Control Board, and Louisiana State Police, Gaming Enforcement Division.

B. After the agreement is approved by the commission, the association and host entity must petition the Louisiana Gaming Control Board for consideration of the agreement

and any modifications to the retail sports book lounge. The commission's approval of the offtrack wagering license application and the conduct of offtrack pari-mutuel wagering as specified in the agreement shall be subject to the Louisiana Gaming Control Board's approval of the agreement and any changes to the retail sports book lounge.

C. The association shall comply with all requests for information or additional documentation as requested and required by the commission, the Louisiana Gaming Control Board, and the Louisiana State Police, Gaming Enforcement Division.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:213.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 52:

**§12605. Plan of Operations**

A. The plan of operation required by R.S. 4:213(C) and LAC 35:XV.12601.B shall be in accordance with R.S. 4:213(B) and shall include, at a minimum:

1. Identifying information, including:

a. name of licensed offtrack wagering establishment;

b. name of licensed sports book lounge in which pari-mutuel offtrack wagering is planned to be offered;

c. federal tax identification number of offtrack wagering licensee;

d. parish of establishment;

e. physical address of establishment; and

f. mailing address, if different from physical address.

2. A detailed proposed plan of design, including:

a. architect's rendering of floor plan and picture of the proposed pari-mutuel area in the sports book lounge;

b. placement of pari-mutuel self-betting terminals in the sports book lounge;

c. placement of pari-mutuel teller stands in the sports book lounge; and

d. placement of pari-mutuel cages in the sports book lounge;

3. Days and hours of operation each week;

4. Lounge operations, including:

a. name of the company that operates the retail sports book lounge and their address, telephone number, and email;

b. list of names, addresses, telephone numbers, and emails of all vending machine companies and the services provided; and

c. copies of all contracts, leases and agreements, whether written or oral.

5. Offtrack pari-mutuel wagering operations, including:

a. name, address, telephone number, and email of the totalizator company employed;

b. name, address, telephone number, and email of the satellite service company employed;

c. listing of all racetrack simulcast signals and copies of agreements;

d. listing of all account wagering centers (ADWs) that will operate in the sports book lounge and copies of agreements;

e. policy and procedures for accounting and maintaining offtrack pari-mutuel wagers separate from all sports wagers in sports book lounge;

f. list of all known employees of the association who will be assigned to the pari-mutuel wagering area of the sports book lounge, their duties, and copy of their commission licenses;

g. proposed employee positions required to operate the pari-mutuel wagering in the sports book lounge; and

h. policy and procedures for internal auditing of all proceeds from pari-mutuel wagering in sports book lounge.

6. All provisions required by R.S. Title 4, including, but not limited to:

a. Offtrack pari-mutuel wagering in the sports book lounge shall be conducted under the provisions of Chapter 4 of R.S. Title 4;

b. Offtrack pari-mutuel wagers placed in the sports book lounge shall be maintained and accounted separate and distinct from all other sports wagers placed in the sports book lounge; and

c. The gaming division of the office of state police shall have access to all files, records, documents, film, tape, including surveillance tape, and any other information and personnel necessary to determine compliance with all gaming laws, rules, and regulations on gaming activities and operations under the commission's jurisdiction or the Louisiana Gaming Control Board's jurisdiction.

B. After the plan of operation is approved by the commission, the association must petition the Louisiana Gaming Control Board for consideration of the agreement and any modifications to the retail sports book lounge. The commission's approval of the plan of operation and the conduct of off-track pari-mutuel wagering in the retail sports book lounge shall be subject to the Louisiana Gaming Control Board's approval of the plan of operations and any changes to the retail sports book lounge.

C. The association shall comply with all requests for information or additional documentation as requested and required by the commission, the Louisiana Gaming Control Board, and the Louisiana State Police, Gaming Enforcement Division.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:213.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 52:

#### **§12607. Pari-Mutuel Self-Betting Terminals in Sports Book Lounges**

A. The licensed association may install and operate a self-service betting terminal, specifically for the use of pari-mutuel wagering only, in the retail sports book lounge. Any self-betting terminal may be allowed in the designated retail sports book lounge areas of: the host entity, pursuant to the agreement; or the association that holds an offtrack wagering facility license and also holds a license per R.S. 27:353, pursuant to its plan of operation.

B. Each self-betting terminal for pari-mutuel wagering must be a fixed, self-service device. Additionally it must be marked and identifiable as being solely used for pari-mutuel wagering only. The display on said self-betting terminal and user interface must display only horse racing and must not offer any sports wagering activity.

C. The self-betting terminals must be in compliance and operate in accordance with agreement per LAC 35:XV.12603 or plan of operations per LAC 35:XV.12605 that is submitted and approved by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:213.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 52:

#### **§12609. Teller Stands**

A. Each teller stand used for pari-mutuel wagering must be physically separate and distinguishable from the teller windows used for sports wagering.

B. Each teller stand must be in a location that has continuous surveillance by the host entity's surveillance system. All surveillance recordings must be maintained and made available to the Louisiana State Police, Gaming Enforcement Division, and/or the commission upon request.

C. All individuals operating a pari-mutuel teller stand must be at least 18 years of age and hold a valid license from the Commission.

D. All pari-mutuel transactions must be processed through an approved pari-mutuel terminal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:213.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 52:

#### **§12611. Separation of Employee Duties**

A. No employee shall be licensed or authorized to perform pari-mutuel, casino, and sports wagering duties.

B. An individual employed by the licensed association including, but not limited to, pari-mutuel managers, calculators, supervisors, tellers, and any other persons as designated by the commission shall not engage in any of the host entity's sports wagering operation or vice versa.

C. The job description and internal controls for employees needs to be limited to their respective wagering type.

D. The licensed association shall ensure that its pari-mutuel employees are working in areas designated for pari-mutuel wagering operations, and the host entity shall ensure that its sports wagering employees are working in areas that are designated for sports wagering. Additionally, while both may be within the same lounge, they must maintain separate work stations, terminals, machine maintenance, and cash handling procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:213.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 52:

#### **§12613. Required Annual Audits**

A. The licensed association shall conduct annual financial audits to ensure compliance with racing laws and regulations. In addition to annual audits, the licensed

association shall commence and complete a special audit upon the request of the commission, Louisiana Gaming Control Board, or Louisiana State Police, Gaming Enforcement Division. All audits shall be made available to the commission, Louisiana Gaming Control Board, or Louisiana State Police, Gaming Enforcement Division upon request in a timely manner.

B. The licensed association shall comply with pari-mutuel reporting requirements per LAC 35:III.12351 for its offtrack pari-mutuel wagering in a sports book lounge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:213.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 52: §12615. Records to be Maintained

A. Each association shall maintain complete records of all pari-mutuel wagering transactions, including the amounts wagered at each self-betting terminal.

B. A copy of the wagering records shall be retained and safeguarded for a period of not less than five years and shall not be destroyed without the prior written permission of the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:147 and R.S. 4:213.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 52:

#### Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

#### Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

#### Small Business Analysis

This proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

#### Provider Impact Statement

This proposed Rule has no known impact on providers of services for individuals with developmental disabilities.

#### Public Comments

The domicile office of the Louisiana State Racing Commission is open from 8 a.m. to 4:30 p.m. Monday - Friday, and interested parties may submit oral or written comments, data, views, or arguments relative to this proposed Rule by 4:30 p.m. November 9, 2025 to Brett Bonin, Assistant Attorney General, 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.

Stephen Landry  
Executive Director

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

#### RULE TITLE: Offtrack Wagering in Sports Book Lounge

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Louisiana State Racing Commission (LSRC) proposes to adopt Sections 12601, 12603, 12605, 12607, 12609, 12611, 12613, and 12615 of Part XV, Chapter 126 (Offtrack Wagering in Sports Book Lounge) of Title 35 (Horse Racing) of the

Louisiana Administrative Code. The proposed rule codifies the administrative requirements for applying, conducting, and regulating offtrack wagering in a sportsbook lounge, which are already established in both current practice and statute. Specifically, this rule codifies the following:

- That a licensed pari-mutuel association must obtain the required offtrack wagering and gaming licenses, submit agreements or a plan of operation, and secure approval from both the LSRC and the Louisiana Gaming Control Board (Board) before offering pari-mutuel wagering in a sports book lounge, whether at a host entity or its own facility.
- That agreements for pari-mutuel wagering in a host entity's retail sports book lounge must detail the wagering location, design plans, fund separation, regulatory access, payment calculations, and compliance provisions; be approved first by the LSRC and then by the Board; and require the association to comply with all regular requests for information or documentation.
- The requirements for offtrack pari-mutuel wagering in a sports book lounge, including identification and contact information, detailed lounge design and equipment placement, operating schedule, lounge and wagering operations, employee and auditing procedures, and compliance with Title 4, while requiring LSRC and Board approval and full cooperation with regulatory authorities.
- That licensed associations may install and operate fixed, self-service pari-mutuel betting terminals in approved sports book lounge areas, which must be clearly marked, exclusively display horse racing (no sports wagering), and operate in compliance with the approved plan of operations or host entity agreement.
- That pari-mutuel teller stands must be physically separate from sports wagering windows, continuously monitored by surveillance, operated by licensed individuals aged 18 or older, and conduct all transactions through approved pari-mutuel terminals.
- That employees must be restricted to a single type of wagering, either pari-mutuel or sports, ensuring separate job duties, work areas, terminals, and cash handling, with no crossover between pari-mutuel and sports wagering operations.
- That the licensed association must conduct annual and special financial audits as requested, make all audit results available to regulatory authorities, and comply with pari-mutuel reporting requirements for offtrack wagering in a sports book lounge.
- That each association must maintain complete records of all pari-mutuel wagering transactions, retain copies for at least five years, and obtain written LSRC approval before destruction.

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on revenue collections of state or local governmental units.

#### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

There are no anticipated costs or economic benefits to directly affected persons, small businesses, or nongovernmental groups.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Stephen Landry  
Executive Director  
2510#064

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office



## NOTICE OF INTENT

### Department of Health Board of Pharmacy

#### Centralized Prescription Dispensing (LAC 46:LIII.1141)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy hereby gives notice of its intent to amend Section 1141 of its rules relative to Centralized Prescription Dispensing. The proposed Rule changes clarify the existing requirements related to prescription labeling and the maintenance of audit trail information. They further establish standards for the delivery of prepared prescriptions between a remote dispenser and an on-site pharmacy. Specifically, the proposed changes require that delivery be conducted in a manner that ensures the integrity of the medication by adhering to nationally recognized standards, and address packaging and temperature control. The proposed Rule changes also address possession and control of prescription drugs during delivery, whether by a common carrier, contract carrier, or pharmacy employee, and prohibit the dispensing of any prescription drug compromised in transit. When prescriptions are not dispensed to patients, the proposed Rule changes require that they be returned to the remote dispenser pharmacy in situations where the remote dispenser and the on-site pharmacy operate under different ownership. Finally, the proposed Rule changes specify that the centralized prescription dispensing of controlled substances must comply with all applicable provisions of federal regulations set forth in 21 CFR Parts 1300 through 1399.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part LIII. Pharmacists

#### Chapter 11. Pharmacies

#### Subchapter D. Off-Site Services

#### §1141. Centralized Prescription Dispensing

A. - A.1.b. ...

2. Labeling. The remote dispenser shall label the container in compliance with Section 2527 of this Part, using the on-site pharmacy's information. The label shall also include the remote dispenser's name indicating that the prescription was filled at the remote dispenser.

3. Audit Trail Information. The remote dispenser and on-site pharmacy shall maintain a complete audit trail identifying pharmacy personnel involved in the dispensing process.

4. Delivery Between Remote Dispenser and On-Site Pharmacy. Delivery of prepared prescriptions between the remote dispenser and the on-site pharmacy is permissible using a common carrier, contract carrier, or pharmacy employee. Proper safeguards shall be in place to ensure the integrity of the medication—preserving its safety, identity, strength, quality, and purity throughout the delivery process.

a. Standards. The pharmacy shall ensure that all prescription drugs are delivered in compliance with nationally recognized standards, including those established by the manufacturer or the United States Pharmacopeia (USP).

b. Packaging. Prescription drugs delivered by a common or contract carrier shall be enclosed in tamper-evident packaging.

c. Temperature Control. Throughout the delivery process, prescription drugs shall be maintained within the temperature range specified by the United States Pharmacopeia (USP) or as recommended by the manufacturer, with allowances for permitted excursions.

d. Possession and Control. When a pharmacy relinquishes physical possession and control of a prescription drug during delivery, the drug shall not be returned to the pharmacy for reuse.

i. Common or Contract Carrier. If there is no formal agreement in place with a common or contract carrier that ensures delivery integrity standards and grants the pharmacy control during transit, prescription drugs shall not be returned to the pharmacy for reuse.

ii. Pharmacy Employee. When a pharmacy employee delivers a prescription drug, the pharmacy retains physical possession and control of the medication throughout the delivery process.

e. Compromised Product. If it is determined a prescription drug is in any way compromised during delivery, it shall not be dispensed.

5. The on-site pharmacy shall return to the remote dispenser prepared prescriptions not dispensed to the patient, if the pharmacies do not have the same owner.

6. Centralized prescription dispensing of controlled substances shall comply with all applicable provisions of 21 CFR Parts 1300 - 1399.

B. - B.2.e. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 33:1131 (June 2007), amended LR 52:

#### Family Impact Statement

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a family impact statement on the Rule proposed for adoption, repeal, or amendment. The following statements will be published in the *Louisiana Register* with the proposed agency Rule.

1. The Effect on the Stability of the Family. The proposed Rule changes will have no effect on the stability of the family.

2. The Effect on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed Rule changes will have no effect on the authority and rights of parents regarding the education and supervision of their children.

3. The Effect on the Functioning of the Family. The proposed Rule changes will have no effect on the functioning of the family.

4. The Effect on Family Earnings and Family Budget. The proposed Rule changes will have no effect on family earnings and family budget.

5. The Effect on the Behavior and Personal Responsibility of Children. The proposed Rule changes will have no effect on the behavior and personal responsibility of children.

6. The Ability of the Family or a Local Government to Perform the Function as Contained in the Proposed Rule. The proposed changes will have no effect on the ability of the family or a local government to perform the activity as contained in the proposed Rule.

#### **Poverty Impact Statement**

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a poverty impact statement on the Rule proposed for adoption, repeal, or amendment.

1. The Effect on Household Income, Assets, and Financial Security. The proposed Rule changes will have no effect on household income, assets, or financial security.

2. The Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed Rule changes will have no effect on early childhood development or preschool through postsecondary education development.

3. The Effect on Employment and Workforce Development. The proposed Rule changes will have no effect on employment and workforce development.

4. The Effect on Taxes and Tax Credits. The proposed Rule changes will have no effect on taxes or tax credits.

5. The Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation, and Utilities Assistance. The proposed Rule changes will have no effect on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

#### **Small Business Analysis**

In accordance with Section 965 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, each of the following methods of reducing the impact of the proposed Rule on small businesses:

1. The Establishment of Less Stringent Compliance or Reporting Requirements for Small Businesses. The proposed Rule changes will have no effect on reporting requirements for small business.

2. The Establishment of Less Stringent Schedules or Deadlines for Compliance or Reporting Requirements for Small Businesses. The proposed Rule changes will have no effect on schedules or deadlines for compliance or reporting requirements for small business.

3. The Consolidation or Simplification of Compliance or Reporting Requirements for Small Businesses. The proposed Rule changes will have no effect on consolidation or simplification of compliance or reporting requirements for small business.

4. The Establishment of Performance Standards for Small Businesses to Replace Design or Operational Standards Required in the proposed Rule. The proposed Rule changes will have no effect on establishment of performance standards for small businesses to replace design or operational standards for small business.

5. The Exemption of Small Businesses from All or Any Part of the Requirements Contained in the proposed Rule. There are no exemptions for small businesses in the proposed Rule changes.

#### **Provider Impact Statement**

In accordance with House Concurrent Resolution No. 170 of the Regular Session of the 2014 Legislature, there is hereby submitted a provider impact statement on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, the following effects on the providers of services to individuals with developmental disabilities:

The effect on the staffing level requirements or qualifications required to provide the same level of service. The proposed Rule changes will have no effect on the staffing level requirements or qualifications required to provide the same level of service.

The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed Rule changes may increase the cost to the provider to provide the same level of service if the provider is currently engaged in centralized prescription dispensing and is delivering prescription medication to the on-site pharmacy without proper safeguards in place to ensure the integrity of the medication. The amount of this increase is variable and indeterminate.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of service. The proposed Rule changes will have no impact on the ability of the provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments, via United States Postal Service or other, or in the alternative by personal delivery to M. Joseph Fontenot Jr., Executive Director, at the office of the Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, LA 70809-1700. He is responsible for responding to inquiries regarding the proposed Rule changes. The deadline for the receipt of all written comments is 12 p.m. on Wednesday, November 26, 2025.

#### **Public Hearing**

A public hearing to solicit comments and testimony on the proposed Rule changes is scheduled for Wednesday, November 26, 2025 at 9 a.m. at the board office. During the hearing, all interested persons will be afforded an opportunity to submit comments and testimony, either verbally or in writing. The deadline for the receipt of all comments and testimony is 12 p.m. that same day. To request reasonable accommodations for persons with disabilities, please call the board office at 225.925.6496.

M. Joseph Fontenot Jr.  
Executive Director

#### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Centralized Prescription Dispensing**

##### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule changes. The cost for the Louisiana Board of Pharmacy is approximately \$958 in FY 26 for the notice and rule publication in the *Louisiana Register*.

To the extent a government-operated pharmacy participating in centralized prescription dispensing is not currently delivering medication in a manner which ensures the integrity of the medication, there could be additional costs to the pharmacy to ensure appropriate drug delivery. These costs are indeterminate.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes are not anticipated to impact the revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes benefit consumers by strengthening safeguards to ensure the integrity of prescription drugs and clarifies labeling requirements for pharmacies. Labels must include information from both the on-site pharmacy and the remote dispenser, a practice already followed by large chain pharmacies under federal requirements. To the extent a pharmacy is not currently ensuring delivery integrity, costs may increase for tamper-evident packaging, temperature controls, or delivery safeguards; however, such costs are expected to be minimal and indeterminable. Because pharmacies are already required to meet state standards for labeling, audit trails, and medication integrity, the rule is not anticipated to increase the overall cost of prescription drugs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes are not anticipated to impact competition and employment.

M. Joseph Fontenot, Jr.  
Executive Director  
2510#042

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Pharmacy**

**Prescription Drug Delivery (LAC 46:LIII.2501)**

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy hereby gives notice of its intent to amend Section 2501 of its rules to address delivery of prescription drugs to patients. The proposed Rule changes add Section 2501.A.4, requiring pharmacies to implement safeguards to protect medication integrity when delivering prescriptions to patients or their authorized agents. These changes address standards, notification, packaging, and temperature control for prescription drug delivery, as well as possession and control of the prescription drug whether the pharmacy uses a common or contract carrier or a pharmacy employee. The proposed Rule changes also require pharmacies to replace any prescription drug that is compromised in any way during delivery.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LIII. Pharmacists**

**Chapter 25. Prescriptions, Drugs, and Devices**

**Subchapter A. General Requirements**

**§2501. Prescription Drugs and Devices**

**A. - A.3.b. ...**

4. Delivery. To complete the dispensing process, pharmacies may deliver prepared prescriptions to the patient or their authorized agent upon request, using a common carrier, contract carrier, or pharmacy employee. Proper safeguards shall be in place to ensure the integrity of the medication—preserving its safety, identity, strength, quality, and purity throughout the delivery process. The pharmacy is responsible for the safe and accurate delivery of prescription drugs and remains accountable for any issues that may arise during the process.

a. Standards. The pharmacy shall ensure that all prescription drugs are delivered to the patient or their authorized agent in compliance with nationally recognized standards, including those established by the manufacturer or the United States Pharmacopeia (USP).

b. Notification. The pharmacy shall notify the patient or their authorized agent of the delivery.

c. Packaging. Prescription drugs delivered by a common or contract carrier shall be enclosed in tamper-evident packaging.

d. Temperature Control. Throughout the delivery process, until the medication is received by the patient or their authorized agent, prescription drugs shall be maintained within the temperature range specified by the United States Pharmacopeia (USP) or as recommended by the manufacturer, with allowances for permitted excursions.

e. Possession and Control. When a pharmacy relinquishes physical possession and control of a prescription drug during delivery, the drug shall not be returned to the pharmacy for reuse.

i. Common or Contract Carrier. If there is no formal agreement in place with a common or contract carrier that ensures delivery integrity standards and grants the pharmacy control during transit, prescription drugs shall not be returned to the pharmacy for reuse.

ii. Pharmacy Employee. When a pharmacy employee delivers a prescription drug, the pharmacy retains physical possession and control of the medication throughout the delivery process.

f. Compromised Product. If it is determined a prescription drug is in any way compromised during delivery, the pharmacy shall replace the drug or arrange for the drug to be replaced, either by promptly delivering a replacement to the patient or by promptly contacting the prescriber to arrange for the drug to be dispensed to the patient by a pharmacy of the patient's or their agent's choice.

B. - E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 29:2101 (October 2003), effective January 1, 2004, amended LR 50:1156 (August 2024), amended LR 52:

**Family Impact Statement**

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a family impact statement on the Rule proposed for adoption, repeal, or amendment. The following statements will be published in the *Louisiana Register* with the proposed agency Rule.

1. The Effect on the Stability of the Family. The proposed Rule changes will have no effect on the stability of the family.
2. The Effect on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed Rule changes will have no effect on the authority and rights of parents regarding the education and supervision of their children.
3. The Effect on the Functioning of the Family. The proposed Rule changes will have no effect on the functioning of the family.
4. The Effect on Family Earnings and Family Budget. The proposed Rule changes will have no effect on family earnings and family budget.
5. The Effect on the Behavior and Personal Responsibility of Children. The proposed Rule changes will have no effect on the behavior and personal responsibility of children.
6. The Ability of the Family or a Local Government to Perform the Function as Contained in the Proposed Rule. The proposed Rule changes will have no effect on the ability of the family or a local government to perform the activity as contained in the proposed Rule.

#### **Poverty Impact Statement**

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a poverty impact statement on the Rule proposed for adoption, repeal, or amendment.

1. The Effect on Household Income, Assets, and Financial Security. The proposed Rule changes will have no effect on household income, assets, or financial security.
2. The Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed Rule changes will have no effect on early childhood development or preschool through postsecondary education development.
3. The Effect on Employment and Workforce Development. The proposed Rule changes will have no effect on employment and workforce development.
4. The Effect on Taxes and Tax Credits. The proposed Rule changes will have no effect on taxes or tax credits.
5. The Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation, and Utilities Assistance. The proposed Rule changes will have no effect on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

#### **Small Business Analysis**

In accordance with Section 965 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, each of the following methods of reducing the impact of the proposed Rule on small businesses:

1. The Establishment of Less Stringent Compliance or Reporting Requirements for Small Businesses. The proposed Rule changes will have no effect on reporting requirements for small business.
2. The Establishment of Less Stringent Schedules or Deadlines for Compliance or Reporting Requirements for Small Businesses. The proposed Rule changes will have no

effect on schedules or deadlines for compliance or reporting requirements for small business.

3. The Consolidation or Simplification of Compliance or Reporting Requirements for Small Businesses. The proposed Rule changes will have no effect on consolidation or simplification of compliance or reporting requirements for small business.
4. The Establishment of Performance Standards for Small Businesses to Replace Design or Operational Standards Required in the Proposed Rule. The proposed Rule changes will have no effect on establishment of performance standards for small businesses to replace design or operational standards for small business.
5. The Exemption of Small Businesses from All or Any Part of the Requirements Contained in the Proposed Rule. There are no exemptions for small businesses in the proposed Rule changes.

#### **Provider Impact Statement**

In accordance with House Concurrent Resolution No. 170 of the Regular Session of the 2014 Legislature, there is hereby submitted a provider impact statement on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, the following effects on the providers of services to individuals with developmental disabilities:

1. The effect on the staffing level requirements or qualifications required to provide the same level of service. The proposed Rule changes will have no effect on the staffing level requirements required to provide the same level of service.
2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed Rule changes may increase the cost to the provider to provide the same level of service if the provider is currently delivering prescription medication to patients without proper safeguards in place to ensure the integrity of the medication. The amount of this increase is variable and indeterminate. However, the benefit to the patient of ensuring integrity of the medication outweighs the increased cost to the provider.
3. The Overall Effect on the Ability of the Provider to Provide the Same Level of service. The proposed Rule changes will have no impact on the ability of the provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments, via United States Postal Service or other carrier, or in the alternative by personal delivery to M. Joseph Fontenot Jr., Executive Director, at the office of the Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, LA 70809-1700. He is responsible for responding to inquiries regarding the proposed Rule changes. The deadline for the receipt of all written comments is 12 p.m. on Wednesday, November 26, 2025.

#### **Public Hearing**

A public hearing to solicit comments and testimony on the proposed Rule changes is scheduled for Wednesday, November 26, 2025 at 9 a.m. at the Board office. During the hearing, all interested persons will be afforded an opportunity to submit comments and testimony, either verbally or in writing. The deadline for the receipt of all

comments and testimony is 12 p.m. that same day. To request reasonable accommodations for persons with disabilities, please call the board office at 225.925.6496.

M. Joseph Fontenot Jr.  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Prescription Drug Delivery**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule changes. The cost for the Louisiana Board of Pharmacy is approximately \$958 in FY 26 for the notice and rule publication in the *Louisiana Register*.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no estimated effect on revenue collections of state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule changes will benefit patients by ensuring safeguards are in place to maintain the integrity of prescription drugs delivered to patients. Pharmacies that are not currently following these safeguards, such as tamper-evident packaging, temperature control, and replacement of compromised products, may incur additional costs to comply with the new requirements. The magnitude of these costs cannot be determined, as they will vary depending on the extent to which a pharmacy's existing delivery practices already meet the new standards.

State-owned and parish-owned pharmacies deliver prescriptions using pharmacy employees rather than common or contract carriers. Because the staff of these pharmacies maintain possession and control of the medication throughout the delivery process, the proposed rule is not expected to impose additional costs on state-owned and parish-owned pharmacies.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule changes are not anticipated to impact competition and employment.

M. Joseph Fontenot, Jr.  
Executive Director  
2510#041

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Pharmacy**

**Prescription Monitoring Program (PMP) Record Retention  
(LAC 46:LIII.2914)**

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Board of Pharmacy hereby gives notice of its intent to amend Section 2914 of its rules relative to Prescription Monitoring Program (PMP) record retention. Pursuant to Act 159 of the 2025 Louisiana

Legislature, which directs the Board to establish rulemaking standards for the retention, archiving, and destruction of PMP audit trail information, the proposed Rule amendment adds audit trail information to the records required to be maintained by the PMP. The amendment also simplifies existing regulatory language.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LIII. Pharmacists**

**Chapter 29. Prescription Monitoring Program**

**§2914. Record Retention**

A. The board shall retain a minimum of five years of prescription monitoring information and audit trail information for review by persons authorized to access such information.

B. The board shall archive all prescription monitoring information and audit trail information older than five years for up to 10 years.

C. The board may remove and destroy prescription monitoring information and audit trail information older than 10 years.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 40:1006(G).

**HISTORICAL NOTE:** Promulgated by the Department of Health, Board of Pharmacy, LR 47:85 (January 2021), repromulgated LR 47:248 (February 2021), amended LR 50:378 (March 2024), amended LR 52:

**Family Impact Statement**

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a family impact statement on the Rule proposed for adoption, repeal, or amendment. The following statements will be published in the *Louisiana Register* with the proposed agency Rule.

1. The Effect on the Stability of the Family. The proposed Rule amendment will have no effect on the stability of the family.

2. The Effect on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed Rule amendment will have no effect on the authority and rights of parents regarding the education and supervision of their children.

3. The Effect on the Functioning of the Family. The proposed Rule amendment will have no effect on the functioning of the family.

4. The Effect on Family Earnings and Family Budget. The proposed Rule amendment will have no effect on family earnings and family budget.

5. The Effect on the Behavior and Personal Responsibility of Children. The proposed Rule amendment will have no effect on the behavior and personal responsibility of children.

6. The Ability of the Family or a Local Government to Perform the Function as Contained in the Proposed Rule. The proposed Rule amendment will have no effect on the ability of the family or a local government to perform the activity as contained in the proposed Rule.

**Poverty Impact Statement**

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a poverty impact statement on the Rule proposed for adoption, repeal, or amendment.

1. The Effect on Household Income, Assets, and Financial Security. The proposed Rule amendment will have no effect on household income, assets, or financial security.

2. The Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed Rule amendment will have no effect on early childhood development or preschool through postsecondary education development.

3. The Effect on Employment and Workforce Development. The proposed Rule amendment will have no effect on employment and workforce development.

4. The Effect on Taxes and Tax Credits. The proposed Rule amendment will have no effect on taxes or tax credits.

5. The Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation, and Utilities Assistance. The proposed Rule amendment will have no effect on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

#### **Small Business Analysis**

In accordance with Section 965 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a regulatory flexibility analysis on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, each of the following methods of reducing the impact of the proposed Rule on small businesses:

1. The Establishment of Less Stringent Compliance or Reporting Requirements for Small Businesses. The proposed Rule amendment will have no effect on reporting requirements for small business.

2. The Establishment of Less Stringent Schedules or Deadlines for Compliance or Reporting Requirements for Small Businesses. The proposed Rule amendment will have no effect on schedules or deadlines for compliance or reporting requirements for small business.

3. The Consolidation or Simplification of Compliance or Reporting Requirements for Small Businesses. The proposed Rule amendment will have no effect on consolidation or simplification of compliance or reporting requirements for small business.

4. The Establishment of Performance Standards for Small Businesses to Replace Design or Operational Standards Required in the Proposed Rule. The proposed Rule amendment will have no effect on establishment of performance standards for small businesses to replace design or operational standards for small business.

5. The Exemption of Small Businesses from All or Any Part of the Requirements Contained in the Proposed Rule. There are no exemptions for small businesses in the proposed Rule amendment.

#### **Provider Impact Statement**

In accordance with House Concurrent Resolution No. 170 of the Regular Session of the 2014 Legislature, there is hereby submitted a provider impact statement on the Rule proposed for adoption, repeal, or amendment. This will certify the agency has considered, without limitation, the following effects on the providers of services to individuals with developmental disabilities:

The effect on the staffing level requirements or qualifications required to provide the same level of service. The proposed Rule amendment will have no effect on the staffing level requirements required to provide the same level of service.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed Rule amendment will have no impact on the cost to the provider to provide the same level of service.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of service. The proposed Rule amendment will have no impact on the ability of the provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments, via United States Postal Service or other carrier, or in the alternative by personal delivery to M. Joseph Fontenot Jr., Executive Director, at the office of the Louisiana Board of Pharmacy, 3388 Brentwood Drive, Baton Rouge, LA 70809-1700. He is responsible for responding to inquiries regarding the proposed Rule amendment. The deadline for the receipt of all written comments is 12 p.m. on Wednesday, November 26, 2025.

#### **Public Hearing**

A public hearing to solicit comments and testimony on the proposed Rule change is scheduled for Wednesday, November 26, 2025 at 9 a.m. at the board office. During the hearing, all interested persons will be afforded an opportunity to submit comments and testimony, either verbally or in writing. The deadline for the receipt of all comments and testimony is 12 p.m. that same day. To request reasonable accommodations for persons with disabilities, please call the board office at 225.925.6496.

M. Joseph Fontenot Jr.  
Executive Director

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Prescription Monitoring Program (PMP) Record Retention**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change. The cost for the Louisiana Board of Pharmacy is approximately \$958 in FY 26 for the notice and rule publication in the *Louisiana Register*.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change is not anticipated to result in any additional costs or measurable economic benefits for directly affected persons, small businesses, or non-governmental

groups. The Prescription Monitoring Program system already captures and stores audit trail information in a manner that meets the new retention requirements; therefore, no additional software, storage, or vendor services will be required.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to impact competition and employment.

M. Joseph Fontenot, Jr.  
Executive Director  
2510#043

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Department of Health Bureau of Health Services Financing

Medicaid Eligibility  
Federally-Facilitated Marketplace Determinations  
(LAC 50:III.505)

The Department of Health, Bureau of Health Services Financing proposes to repeal LAC 50:III.505 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health proposes to repeal LAC 50:III.505 to align with recent legislative changes enacted through Act 427 of the 2025 Regular Session. Act 427 prohibits the department from accepting Medicaid eligibility determinations made by a Federally-Facilitated Exchange, including the Federally-Facilitated Marketplace, pursuant to 42 U.S.C. §18041(c).

This repeal is necessary to eliminate provisions in the *Louisiana Administrative Code* that conflict with the requirements of Act 427 and to ensure regulatory consistency with state law.

The rule text below has been drafted utilizing plain language principles to ensure clarity and accessibility for all users. It has also been reviewed and tested for compliance with web accessibility standards.

#### Title 50

#### PUBLIC HEALTH—MEDICAL ASSISTANCE

#### Part III. Eligibility

#### Chapter 5. Application Processing

#### §505. Federally-Facilitated Marketplace Determinations

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1489 (August 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1091 (July 2016), repealed LR 52:

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

#### Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

#### Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

#### Small Business Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses.

#### Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

#### Public Comments

Interested persons may submit written comments to Drew Maranto, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Mr. Maranto is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is November 19, 2025.

#### Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on November 10, 2025. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on November 25, 2025 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after November 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Bruce D. Greenstein  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Medicaid Eligibility  
Federally-Facilitated Marketplace Determinations**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 25-26. It is anticipated that \$432(\$216 SGF and \$216 FED) will be expended in FY 25-26 for the state's administrative expense for promulgation of this proposed rule and the final rule.

This repeal is necessary to eliminate provisions in the Louisiana Administrative Code that conflict with the requirements of Act 427 and to ensure regulatory consistency with state law. This proposed rule repeals provisions governing the use of the federally-facilitated marketplace to make eligibility determinations. It is anticipated that all individuals eligible through the federally-facilitated marketplace will continue to be eligible after this rule is repealed, and therefore there should be no impact to the Medicaid program.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

It is anticipated that implementation of this proposed rule will have no impact on federal revenue collections for FY 25-26. It is anticipated that \$432 will be collected in FY 25-26 for the federal share of the expense for promulgation of this proposed rule and the final rule.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

This repeal is necessary to eliminate provisions in the Louisiana Administrative Code that conflict with the requirements of Act 427 and to ensure regulatory consistency with state law. This proposed rule repeals provisions governing the use of the federally-facilitated marketplace to make eligibility determinations. It is anticipated that all individuals eligible through the federally-facilitated marketplace will continue to be eligible after this rule is repealed. This proposed rule is expected to have no fiscal impact to small businesses or providers in FY 26, FY 27, or FY 28.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

This proposed rule has no known effect on competition and employment.

Drew Maranto  
Interim Medicaid Executive Director  
2510#055

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

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

Professional Services Program  
Doula Services  
(LAC 50:IX.Chapter 15 and Chapter 151)

The Department of Health, Bureau of Health Services Financing proposes to adopt LAC 50:IX.Chapter 15 and Chapter 151 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the

Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing, proposes to adopt provisions governing doula services in accordance with Act 228 of the 2025 Regular Session of the Louisiana Legislature. This proposed Rule establishes coverage and reimbursement criteria for nonclinical maternal health services provided by registered doulas before, during, and after childbirth. The goal of this rulemaking action is to expand access to culturally responsive support for pregnant and postpartum individuals, enhance maternal health outcomes, and reduce disparities in birth experiences throughout Louisiana.

The rule text below has been drafted utilizing plain language principles to ensure clarity and accessibility for all users. It has also been reviewed and tested for compliance with web accessibility standards.

**Title 50**

**PUBLIC HEALTH—MEDICAL ASSISTANCE**

**Part IX. Professional Services Program**

**Subpart 1. General Provisions**

**Chapter 15. Doula Services**

**§1501. General Provisions**

A. Effective for dates of service on or after [day of promulgation], the Medicaid Program shall provide reimbursement for maternal healthcare services before, during, and after childbirth provided by a registered doula in Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 46:977.41-43 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

**§1503. Provider Qualifications**

A. A qualified doula is an individual who:

1. has been trained to provide physical, emotional, and educational support to pregnant and birthing women and their families;

2. has approved registration with the Doula Registry Board; and

3. enrolled as a Louisiana Medicaid provider.

B. A qualified doula shall not provide medical or midwifery care.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 46:977.41-43 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

**§1505. Scope of Services**

A. Covered doula services may include, but are not limited to:

1. assistance and attendance during labor and after childbirth, including cesarean deliveries;

2. prenatal and postpartum support and education;

3. breastfeeding assistance and lactation support;

4. parenting education; and

5. support for birthing women after the loss of a pregnancy.

B. Coverage limitations:

1. five prenatal visits for up to 90 minutes each; and

2. three postpartum visits for up to 90 minutes each.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 46:977.41-43 and Title XIX of the Social Security Act.



HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

### **Subpart 15. Reimbursement**

#### **Chapter 151. Reimbursement Methodology**

##### **Subchapter H: Doula Services**

###### **§15171. General Provisions**

A. Reimbursement for doula services shall be made according to the established fee schedule or billed charges, whichever is the lesser amount.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 46:977.41-43 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

###### **§15173. Reimbursement Methodology**

A. Effective for dates of service on or after [day of promulgation], reimbursement for doula services shall be a flat fee per service based on the appropriate current procedural terminology (CPT) code.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 46:977.41-43 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 52:

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

###### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have a positive impact on family functioning, stability and autonomy as described in R.S. 49:972, since it provides access to continuous, non-clinical support during pregnancy, childbirth, and the postpartum period. Doula services can reduce maternal stress, improve health outcomes, and promote a more stable transition into parenthood, which enhances the overall well-being of the family unit.

###### **Poverty Impact Statement**

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have a positive impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973, since it provides access to continuous, non-clinical support during pregnancy, childbirth, and the postpartum period, which will reduce the financial burden for families with limited income.

###### **Small Business Impact Statement**

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule may have a positive impact on small businesses, as described the Act, since it adds doula services as a covered service.

###### **Provider Impact Statement**

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or

qualifications required to provide the same level of service, and may impact the total direct and indirect cost to the provider to provide the same level of service if their customer base expands, and may enhance the provider's ability to provide the same level of service as described in HCR 170 because they will be receiving Medicaid reimbursement for services they provide.

###### **Public Comments**

Interested persons may submit written comments to Drew Maranto, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Mr. Maranto is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is November 19, 2025.

###### **Public Hearing**

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on November 10, 2025. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on November 25, 2025 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after November 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Bruce D. Greenstein  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Professional Services Program Doula Services**

##### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

It is anticipated that implementation of this proposed rule will result in increased costs to the state of \$286,146 for FY 25-26 (six months), \$577,399 for FY 26-27, and \$583,173 for FY 27-28. It is anticipated that \$756 (\$378 SGF and \$378 FED) will be expended in FY 25-26 for the state's administrative expense for the promulgation of the proposed rule and the final rule.

The proposed rule adds coverage and reimbursement criteria for nonclinical maternal health services provided by registered doulas before, during, and after childbirth to the Medicaid program, in accordance with Act 228 of the 2025 Regular Session of the Louisiana Legislature. These services are already provided as in-lieu-of services by managed care organizations (MCOs) and have been accounted for in the per-member per-month capitation calculations. According to LDH, it is anticipated that the additional costs will be offset through avoidance of other services. Increased costs associated with doula services were contemplated in the MCO rates used in the FY 26 budget and are included in the appropriated budget.

##### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

It is anticipated that implementation of this proposed rule will result in an increase to federal revenue collections of approximately \$963,302 M for FY 25-26 (six months), \$1.9 M

FY 26-27, and \$2 M FY 27-28. It is anticipated \$378 will be collected in FY 25-26 for the federal share of the expense for promulgation of this proposed rule and the final rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule adds Medicaid coverage and reimbursement criteria for nonclinical maternal health services provided by registered doulas before, during, and after childbirth, in accordance with Act 228 of the 2025 Regular Session. This will benefit pregnant and postpartum individuals in the Medicaid program by improving access to culturally responsive care, enhancing maternal health outcomes, and reducing disparities in birth experiences throughout Louisiana. It creates new opportunities for small businesses and independent providers by allowing them to participate in Medicaid as officially covered service providers. These services are already provided as in-lieu-of services by managed care organizations and have been accounted for in the per-member per-month capitation calculations. Costs associated with these services being transitioned to covered services are expected to be offset by the avoidance of other services. This proposed rule is expected to result in increased payments to providers of approximately \$1.2 M in FY 25-26 (six months), \$2.5 M in FY 26-27, and \$2.5 M in FY 27-28.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule has no known effect on competition and employment.

Drew Maranto  
Interim Medicaid Executive Director  
2510#056

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Health Standards Section**

**Free-Standing Birth Centers  
Licensing Standards (LAC 48:I.6737 and 6743)**

The Department of Health, Health Standards Section (the department), proposes to amend LAC 48:I.6737 and §6743 as authorized by R.S. 36:254 and R.S. 40:2180.21 – 2180.28. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The department hereby proposes to amend the provisions governing the licensing of free-standing birth centers (FSBCs) in order to allow for: (1) the provision of prenatal/postpartum care to a client who has had a previous cesarean section, or other known uterine surgery such as a hysterotomy or myomectomy, when a hospital birth is planned; (2) the provision of prenatal or intrapartum care of a client: (a) who is younger than 16 years old or a primipara older than 40 years old, provided the FSBC obtains and maintains documented evidence from an obstetrician/gynecologist that the pregnancy and delivery is expected to be a low-risk, singleton birth, with vertex presentation; or (b) taking medications known to cause Neonatal Abstinence Syndrome, when the client is taking a selective serotonin reuptake inhibitor as prescribed by her healthcare professional.

**Title 48**

**PUBLIC HEALTH—GENERAL**

**Part I. General Administration**

**Subpart 3. Licensing and Certification**

**Chapter 67. Free-Standing Birth Centers**

**Subchapter B. Administration and Organization**

**§6737. Policies and Procedures**

A. - G. ...

H. The free-standing birth center (FSBC) shall have written policies and procedures approved by the governing body, which shall be implemented and followed that address, at a minimum, the following:

1. - 13. ...

14. conditions for coverage, if applicable;

15. preventing, responding to, reporting, and mitigating instances of healthcare workplace violence in accordance with R.S. 40:2199.12(3), or current law; and

16. provision of prenatal and postpartum care to a client who has had a previous cesarean section or other known uterine surgery such as hysterotomy or myomectomy, and who plans to give birth in a hospital.

I. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2116 (August 2022), amended by the Department of Health, Health Standards Section, LR 51:72 (January 2025), LR 52:

**Subchapter C. Admissions, Transfers and Discharges**

**§6743. Prohibitions to Admission or Continued Care in an FSBC**

A. The FSBC shall not knowingly accept or thereafter maintain responsibility for the prenatal or intrapartum care of a woman who:

1. - 17. ...

18. is younger than 16 years old or a primipara older than 40 years old, unless the FSBC obtains and maintains documented evidence from an obstetrician/gynecologist that the pregnancy and delivery is expected to be a low-risk, singleton birth, with vertex presentation;

19. has been taking medications known to cause Neonatal Abstinence Syndrome, except if the woman is taking a selective serotonin reuptake inhibitor (SSRI) as prescribed by her healthcare professional. The FSBC shall have documented evidence that taking the SSRI as prescribed will not increase risk to the pregnancy or delivery;

20. - 22. ...

B. A licensed healthcare practitioner may render FSBC prenatal and postpartum care services to a client who has had a previous cesarean section or other known uterine surgery such as hysterotomy or myomectomy, when the client has a plan for hospital delivery.

C. A licensed healthcare practitioner shall not knowingly render FSBC services outside of their scope of practice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2117 (August 2022), amended LR 49:483 (March 2023), amended by the Department of Health, Health Standards Section, LR 52:

### Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule may have an indeterminable impact on family functioning, stability, and autonomy as described in R.S. 49:972, since access to care at FSBCs may be increased for certain patient populations.

### Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

### Small Business Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule may have an indeterminable impact on revenue and/or direct costs for FSBCs in FY 26, FY 27, and FY 28. FSBCs that choose to offer expanded services added by this proposed Rule, may realize an increase in revenues. By providing expanded services, the staffing level requirements and/or qualifications required to provide the same level of service may be impacted. FSBCs may be required to employ additional staff resulting in an increase in the total direct costs to the provider. The total fiscal impact of this proposed Rule is indeterminable since there is no way to estimate how many FSBC providers will choose to offer the expanded services.

### Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule may have an indeterminable impact on revenue and/or direct costs for FSBCs in FY 26, FY 27, and FY 28. FSBCs that choose to offer expanded services added by this proposed Rule, may realize an increase in revenues. By providing expanded services, the staffing level requirements and/or qualifications required to provide the same level of service may be impacted. FSBCs may be required to employ additional staff resulting in an increase in the total direct costs to the provider. The total fiscal impact of this proposed Rule is indeterminable since there is no way to estimate how many FSBC providers will choose to offer the expanded services.

### Public Comments

Interested persons may submit written comments to Cecile Castello, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Castello is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on December 5, 2025.

### Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on November 9, 2025. If the criteria set forth in R.S.

49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on December 4, 2025 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after November 9, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Bruce D. Greenstein  
Secretary

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

### RULE TITLE: Free-Standing Birth Centers Licensing Standards

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed Rule will have no programmatic fiscal impact to the state or local governmental units other than the cost of promulgation in FY 26. It is anticipated that \$781 SGR will be expended in FY 26 for the state's administrative expense for promulgation of this proposed rule and the final Rule.

This proposed Rule amends the provisions governing the minimum licensing standards for free-standing birth centers (FSBCs) in order to allow for: (1) the provision of prenatal/postpartum care to a client who has had a previous cesarean section, or other known uterine surgery such as a hysterotomy or myomectomy, when a hospital birth is planned; (2) the provision of prenatal or intrapartum care of a client: (a) who is younger than 16 years old or a primipara older than 40 years old, provided the FSBC obtains and maintains documented evidence from an obstetrician/gynecologist that the pregnancy and delivery is expected to be a low-risk, singleton birth, with vertex presentation; or (b) taking medications known to cause Neonatal Abstinence Syndrome, when the client is taking a selective serotonin reuptake inhibitor as prescribed by her healthcare professional.

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that implementation of this proposed Rule will have no impact on state or local revenue collections. This is a licensing rule that does not add any licensing fees.

#### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

It is anticipated that this proposed Rule may have an indeterminable impact on revenue and/or direct costs for FSBCs in FY 26, FY 27, and FY 28. Those FSBCs that choose to offer expanded services added by this proposed Rule, may realize an increase in revenues. By providing expanded services, the staffing level requirements and/or qualifications required to provide the same level of service may be impacted. Free-standing birth centers may be required to employ additional staff resulting in an increase in the total direct costs to the provider. The total fiscal impact of this proposed Rule is indeterminable since there is no way to estimate how many FSBC providers will choose to offer the expanded services.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This Rule has no known effect on competition, but may increase the need for additional staff if a FSBC chooses to provide the expanded services.

## NOTICE OF INTENT

### Department of Health Office of Public Health

#### Sickle Cell Disease Registry (LAC 48:V.8601)

Under the authority of R.S. 40:1125.16, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the surgeon general, acting through the Department of Health, Office of Public Health (LDH), submits the proposed Rule. The proposed Rule aims to comply with the provisions of Act 647 of the 2022 Regular Session of the Louisiana Legislature. The legislation enacted R.S. 40:1125.11 through 1125.16. In response to the legislation, the Department of Health Office of Public Health proposes this Rule to outline the Louisiana Sickle Cell Disease Registry's purpose, scope, definitions, and responsibilities.

The Louisiana Sickle Cell Disease Registry, also known as the Skylar-Cooper Database, will function as a single repository of public health data for people in Louisiana who have sickle cell disease. The proposed Rule sets standards in furtherance of the 2022 legislation, which allow the registry to quantify and characterize sickle cell disease data in the state, assess trends in diagnosis, treatment and access to care, and inform public health decision-making and policy to support residents living with the disease.

#### Title 48

#### PUBLIC HEALTH—GENERAL

#### Subpart 32. Louisiana Sickle Cell Disease Registry

#### Chapter 86. General Rules

#### §8601. Purpose and Scope

A. The purpose of this Rule is to define the authorities and requirements for the Louisiana Sickle Cell Disease Registry, also known as the Skylar-Cooper Database. As provided in the authorizing statute, the registry will function as a single repository of public health data for people in Louisiana who have sickle cell disease. The registry seeks to quantify and characterize sickle cell disease in Louisiana and assess trends in diagnosis, treatment, and access to care. This is consistent with other public health monitoring systems that collect information about people with certain health conditions. The data derived from the Sickle Cell Disease Registry will also inform public health decision-making, policy, and other actions to support those living with sickle cell disease in the state.

B. The registry was established by Act 647 of the 2022 Regular Session of the Louisiana Legislature.

C. This Rule, created in response to the 2022 legislation, applies to all entities involved in the collection, reporting, storage, analysis, and dissemination of data reported to or generated from the registry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

#### §8603. Definitions

A. Unless the context or use thereof clearly indicates otherwise, the following words and terms used in this Part are defined as follows:

*Case*—an individual confirmed to have sickle cell disease as defined by the International Classification of Diseases as sickle cell disorders, a group of genetic blood diseases characterized by abnormal, sickle-shaped red blood cells.

*Department*—the Department of Health, the designated government agency responsible for oversight and management of the registry.

*Registry*—the Louisiana Sickle Cell Disease Registry, also known as the Skylar-Cooper Database. This is the information system to receive and maintain confidential case-specific demographic, diagnostic, treatment, service and other health-related data.

*Reporting Entity*—any individual or organization listed under the Louisiana Administrative Code, Title 51, Part II, Sections 103-105 that is required to report cases of sickle cell disease to the registry, or from which the department requests records related to sickle cell disease.

*Sickle Cell Association (also referred to as Foundation)*—a non-profit, community-based organization that provides information and assistance to people diagnosed with sickle cell disease, their families, and caregivers in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

#### §8605. Responsibilities of the Department of Health

A. The Department of Health shall maintain a secure information system. This system will receive and manage electronic reporting of health information from multiple sources. The sources are described in this Rule to maintain a longitudinal de-duplicated registry of individuals with sickle cell disease in the state.

B. The Department of Health shall maintain qualified personnel responsible for data linkage, analysis, and management of the registry and associated activities.

C. The Department of Health shall routinely receive, process, link, and analyze demographic and diagnostic data from reporting entities. Such action should be taken to identify cases. In response, the department may request treatment, service, and health outcome data from reporting entities to link and analyze population-level monitoring and action.

D. The Department of Health may, as it deems appropriate, conduct special analyses and studies using data from the registry. Such data should be used to inform policy and other actions needed to improve access and outcomes among individuals with sickle cell disease in the state. Also, the data will inform the quality of health care and related services in this state.

E. The Department of Health shall maintain and publish guidelines and procedures for operations of the registry in a publicly available technical manual. At a minimum, the technical manual shall include:

1. comprehensive instructions for the registry staff;
2. technical specifications for the registry;

3. a list of the data elements included in the registry data submission and reporting timelines and procedures for reporting entities, mandatory and discretionary variables, and technical specifications for reporting;

4. guidelines for data management;

5. quality and performance measures for the system;

6. data quality requirements to ensure the quality and completeness of data in the system; and

7. data protections and authorized uses.

F. The Department of Health shall routinely assess the completeness, timeliness, and accuracy of data reported to the registry. This should be done to ensure its rigor as a public health monitoring system.

G. The Department of Health shall ensure that the registry and its activities comply with all applicable requirements of the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191. The registry and its activities shall also comply with regulations adopted pursuant to that Act, including but not limited to the HIPAA Privacy Rule, 45 CFR Part 164, and other applicable laws and regulations governing disclosure of health information.

H. The registry shall undergo regular audits by the Department of Health's Internal Audit Unit. These audits will ensure compliance with this Rule, data security standards, and privacy laws.

I. The Department of Health shall maintain a public-facing website with the registry's technical manual, associated publications, and department contact information.

J. The Department of Health shall publish an annual report. The report will include findings on the epidemiology of sickle cell disease and population-based information about the care and health outcomes of individuals with sickle cell disease in the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **§8607. Responsibilities of Reporting Entities**

A. Reporting entities, as defined in Section 2 of this Rule, are required to report or submit information to the registry as specified below. These entities will provide information or records related to the diagnosis, treatment, health-related services, health outcomes and vital events for confirmed cases.

B. Reporting entities shall provide routine, standardized electronic data transfers in formats outlined in the technical manual.

C. Entities that do not have electronic transfer capabilities shall report through mechanisms approved by the department.

D. Reporting is expected to occur at the intervals outlined in the technical manual, but no less than annually and as requested by the department. Additionally, the Department of Health may request data from any previous number of years and for special studies related to treatment, health-related services, health outcomes, and vital events, as needed to fulfil the registry's purpose.

E. Reporting entities shall facilitate access for registry personnel to relevant health and social service records, as needed to enable the registry to confirm cases, ensure the quality of registry data, and carry out other authorized

activities. Reporting entities may provide electronic access to relevant health records through the execution of data sharing agreements with the registry. These agreements outline the scope of the data that may be accessed. The registry shall provide audit reports to the reporting entity to document that activities comply in accordance with the agreement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **§8609. Reporting Entities**

#### **A. State Health Information Systems**

1. State health information systems that collect or maintain information related to the diagnosis, treatment, care, and outcomes of cases of sickle cell disease shall provide routine standardized data transfers to the registry. The data will allow for the identification of cases, identification of services accessed, health outcomes, and vital events.

2. At a minimum, reporting shall be required for the sections of the Department of Health responsible for:

a. testing and follow-up of infants tested as a part of the newborn screening system;

b. stewardship of hospital inpatient discharge data reported to the department;

c. stewardship of admissions, discharge, and transfer data reported to the department;

d. management of claims and related information for Louisiana Medicaid;

e. vital records birth and death data for the state; and

f. management of Louisiana immunization information System.

#### **B. Healthcare Provider Reporting**

1. Sickle cell disease is a reportable condition. Healthcare providers listed under LAC 51:II.103-105 shall comply with reporting requirements for Class D reportable conditions.

2. Mandatory reporting requirements for positive newborn screening test results indicating sickle cell disease are detailed in R.S. 40:1081.2 and LAC 48:V.6303. Additionally, laboratories, whether public, private, hospital or other, within or outside of the state shall report to the registry the results of all non-newborn screening tests that are diagnostic or confirmatory for sickle cell disease and its variants for individuals residing in Louisiana. Laboratories or any applicable healthcare facilities shall not defer their public health reporting responsibilities to any other authorities within the institutions they serve.

#### **C. Other Reporting for Special Studies**

1. Inpatient and outpatient healthcare facilities, systems, laboratories, other healthcare institutions, health insurance carriers, and social service agencies, including but not limited to sickle cell foundations and associations that provide supportive services for individuals with sickle cell disease may be requested to report to the registry. The requested reporting may be done periodically for case ascertainment and analytic activities, as it relates to healthcare access, quality, and assessment of health outcomes. The reporting also assists in the quality assessment of registry data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **§8611. Use, Disclosure, and Confidentiality of Registry Data**

A. Access to identifiable or case-specific registry data shall be limited to authorized department personnel with a legitimate need to know, as determined by the department. Each employee, consultant, agent, or contractor of the department authorized to access registry data shall sign an annual agreement to maintain the confidentiality of registry data. The Department of Health shall keep these agreements on file.

B. The Department of Health shall implement strict measures to ensure that all identifiable or case-specific information collected, maintained, and/or analyzed as part of registry activities are treated as confidential and privileged. The information shall be collected, maintained, and analyzed in compliance with applicable federal and state laws and regulations protecting the privacy of health information. This includes but is not limited to the following, as applicable:

1. R.S. 40:1125.14;
2. R.S. 40:3.1;
3. R.S. 46:56;
4. the HIPAA Privacy Rule, 45 CFR Parts 160 and 164; and
5. the Common Rule, 45 CFR Part 46 (requirements for review and approval of human subjects research by Institutional Review Board).

C. The Department of Health may collaborate with external sickle cell disease partners, such as clinical or genetic patient registries, state and federal sickle cell disease registries, academic institutions or community partners, in activities furthering the purposes of the registry. This includes but is not limited to:

1. aiding in understanding the needs of persons with sickle cell disease related to timely access to preventive and emergency care and continuity of care across their lifespan;
2. aiding in understanding the prevalence and health outcomes related to sickle cell trait; and
3. supporting the delivery of high-quality, accessible services, including clinical care and care coordination.

D. Such activities may include the performance of health research aiding people with sickle cell disease, including special studies and human subjects research. Requests for registry data from external parties for use in such activities must be approved by the department. In addition, these request may require review and approval by one or more Institutional Review Boards. Whenever feasible, any disclosure of registry data to external parties should be governed by a data-sharing agreement that outlines the terms, conditions, and limitations of use.

E. The registry functions as a public health surveillance system. The primary data to be published or released publicly by public health surveillance systems are expected to be statistical compilations of aggregate data relating to sickle cell disease. The data shall not identify individual

cases or individual physicians, hospitals, clinics, or other healthcare providers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1125.11 through 1125.16.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 52:

### **Family Impact Statement**

The proposed Rule is not anticipated to have an impact on family, formation, stability, and autonomy as described in R.S. 49:972.

### **Poverty Impact Statement**

The proposed Rule is not anticipated to have an impact on any child, individual, or family as defined by R.S. 49:973.

### **Small Business Analysis**

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. There will be some workload adjustments for healthcare providers/facilities and sickle cell associations required to report data on individuals living with sickle cell disease. Workload adjustments are expected to result in minimal to no economic impact. The proposed Rule is not anticipated to have an adverse impact on small businesses.

### **Provider Impact Statement**

The proposed Rule is not anticipated to have an impact on staffing requirements, qualifications, and cost for providers as defined by HCR 170 of the 2014 Regular Legislative Session.

### **Public Comments**

Interested persons may submit written comments on the proposed Rule. Such comments must be received no later than Monday, November 9, 2025 at close of business, 4:30 p.m., and should be addressed to Shane Bates, Program Manager, Bureau of Family Health, Department of Health, 628 North Fourth Street, Suite 590, Baton Rouge, LA 70821 or emailed to Shane Bates at shane.bates3@la.gov.

### **Public Hearing**

Interested persons may submit a written request to conduct a public hearing either by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on Monday, November 9, 2025. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 10 a.m. on Monday, December 1, 2025, in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after November 9, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Bruce D. Greenstein  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Sickle Cell Disease Registry**

**NOTICE OF INTENT**

**Department of Insurance  
Office of the Commissioner**

Regulation 136—Fortify Homes Premium Discounts  
(LAC 37:XIII.Chapter 209)

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule changes. The cost for the Office of Public Health is approximately \$2,662 in FY 26 for the notice and rule publication in the *Louisiana Register*.

The proposed Rule outlines the purpose, scope, definitions, and responsibilities of the Louisiana Sickle Cell Disease Registry, also known as the Skylar-Cooper Database, pursuant to Act 647 of the 2022 Regular Session. The Registry is designed to collect and characterize public health data on Sickle Cell Disease in Louisiana to assess trends, inform public health decision-making, and improve care for individuals with the disease.

The Rule assigns responsibilities to the Department of Health for maintaining the registry, including data management, analysis, reporting, HIPAA compliance, and confidentiality standards. Reporting entities, including state health systems and healthcare providers, are required to submit electronic data transfers to support the registry. Access to identifiable data is restricted, with public reporting limited to aggregate statistical compilations.

The existing SCD Registry is available at: <https://ldh.la.gov/bureau-of-family-health/sickle-cell-disease-database-Louisiana>.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule changes are not anticipated to impact the revenue collections of state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

Healthcare providers, healthcare facilities, and sickle cell associations will experience some workload adjustments as they comply with reporting requirements for the Louisiana Sickle Cell Disease Registry. These adjustments may include the submission of electronic data transfers and responses to Department requests for treatment and outcome data. However, any additional workload is expected to be absorbed within existing operations and should result in minimal to no economic impact on directly affected persons, small businesses, or non-governmental groups.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The Office of Public Health does not expect any impact on competition or employment from maintaining this registry or from the promulgation of the proposed rule changes.

Tonya Joiner  
Assistant Secretary  
2510#058

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to promulgate Regulation 136—Fortify Homes Premium Discounts.

The Fortify Homes Premium Discount, enacted through the passage of Act 1 of the 2023 Regular Session, Act 12 of the 2023 Regular Session, and Act 533 of the 2024 Regular Session of the Louisiana Legislature, requires insurers to provide a premium discount or insurance rate reduction for a FORTIFIED home or commercial property in accordance with the standards created by the Insurance Institute for Business and Home Safety.

**Title 37  
INSURANCE**

**Part XIII. Regulations**

**Chapter 209. Regulation Number 136—Fortify Homes Premium Discounts**

**§20901. Purpose**

A. The purpose of Regulation 136 is to establish mandatory property insurance discounts with respect to homes that meet or exceed the FORTIFIED requirements set forth in R.S. 22:1483, et seq.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

**§20903. Applicability and Scope**

A. Regulation 136 shall apply to all admitted insurers authorized to write property and casualty insurance in Louisiana.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

**§20905. Definitions**

A. Strictly for the purposes of Regulation 136, the following terms are defined as follows:

1. *Commissioner*—the Louisiana Commissioner of Insurance.

2. *FORTIFIED*—a program of IBHS.

3. *Insurance Institute for Business and Home Safety (IBHS)*—a non-profit research and communications organization of the property and casualty insurance industry that defines the FORTIFIED roofing construction standard for homes, information for which can be found at [www.fortifiedhome.org](http://www.fortifiedhome.org).

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

#### **§20907. Premium Discounts Required**

A. Insurers must provide a premium discount or insurance rate reduction for residential property constructed or improved in accordance with the provisions articulated in R.S. 22:1483, et seq. to mitigate losses occasioned by a hurricane, tornado, or other catastrophic windstorm event and has received a FORTIFIED designation in accordance with IBHS standards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

#### **§20909. Amount of Discount**

A. All insurers authorized to write property and casualty insurance in Louisiana must provide a premium discount or insurance rate reduction in the range of twenty to thirty percent for all eligible properties as contemplated in §20907 herein. Insurers may offer a discount or rate reduction greater than thirty percent in accordance with §20915 below.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

#### **§20911. Discount Filing Requirements**

A. All insurers authorized to write property and casualty insurance in Louisiana must obtain approval from the Commissioner for all premium discounts offered in accordance with this Regulation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

#### **§20913. Request to Offer Lower Premium Discounts**

A. If an insurer wishes to offer premium discounts or rate reductions below the twenty to thirty percent range made mandatory in §20909 herein, the insurer must file a request with the Commissioner, seeking permission to deviate from the mandatory discount range. The request must include detailed actuarial justification for the proposed deficient premium discount or insurance rate reduction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

#### **§20915. Additional Premium Discounts Permitted**

A. To the extent an insurer wishes to adopt discounts or reduce rates in excess of thirty percent, the insurer may do so provided the discount or rate reduction is actuarially justified.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

#### **§20917. Severability**

A. The provisions of this Subpart are severable. If any provision or item of this Subpart, or application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of this Subpart which are to be given effect without the invalid provision, item, or application of the Subpart.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

#### **§20919. Effective Date**

A. This regulation shall become effective upon final publication in the *Louisiana Register*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1, 22:11, 22:1483, et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 52:

#### **Family Impact Statement**

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed regulation should have no measurable impact on the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed regulation should have no impact on the rights and authority of parents regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed regulation should have no direct impact on the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed regulation should have no direct impact on family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed regulation should have no impact on the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the regulation.

#### **Poverty Impact Statement**

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed regulation should have no impact on household income, assets, or financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed regulation should have no impact on early childhood development or on preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed regulation should have no impact on employment or workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed regulation should have no impact on taxes or tax credits.



5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed regulation should have no impact on child and dependent care, housing, health care, nutrition, transportation, or utilities assistance.

#### **Small Business Analysis**

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors, has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed regulation should have no measurable impact on small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed regulation should have no measurable impact on small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed regulation should have no measurable impact on small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed regulation should have no measurable impact on small businesses; therefore, there are no less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

#### **Provider Impact Statement**

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

#### **Public Comments**

Interested persons who wish to make comments may do so by writing to Philip Dominique, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, by faxing comments to (225) 342-6704, or electronically at [regulations@ldi.la.gov](mailto:regulations@ldi.la.gov). Comments will be accepted through the close of business, 4:30 p.m., November 10, 2025.

Timothy J. Temple  
Commissioner

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Regulation 136—Fortify Homes Premium Discounts**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule is not anticipated to result in implementation costs or savings to the state or local governmental units. The proposed rule establishes mandatory premium discounts or insurance rate reductions for homes and commercial properties certified as fortified pursuant to the IBHS standards enacted through the Act 1 and Act 12 of the 2023 Regular Legislative Session and Act 533 of the 2024 Regular Legislative Session.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule will have no impact on revenue collections of state or local governmental units.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule will benefit directly affected persons, small businesses, or non-government groups by establishing mandatory premium discounts or insurance rate reductions for homes or commercial properties certified as fortified pursuant to the IBHS standards. Insurers who did not previously provide premium discounts or rate reductions that met the proposed standards may realize a loss of revenues. Presumably, fortifications will also result in lower claims losses for corresponding properties.

#### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

There is no anticipated impact on competition and employment.

Chris Cerniauskas  
Chief of Staff  
2510#048

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

### **NOTICE OF INTENT**

#### **Louisiana Works Office of Workers' Compensation Administration**

General Administration  
(LAC 40:I.Chapters 1, 7, and 19)

The Louisiana Works does hereby give notice of its intent to amend certain portions of the *Louisiana Administrative Code*, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 1, General Administration, Chapter 1, Chapter 7, and Chapter 19. The purpose of this amendment is to correct outdated references, eliminate redundancies, align with current statutory

authority, clarify the appeal and penalty process, and ensure internal consistency across the fraud provisions. These changes strengthen enforceability, reduce confusion for employers/employees, and modernize the rules for current OWCA administration. This proposed Rule is promulgated by the authority vested in the assistant secretary of the Office of Workers' Compensation found in R.S. 23:1020.1, R.S. 23:1208, R.S. 23:1226, and R.S. 23:1291.

#### **Title 40**

### **LABOR AND EMPLOYMENT**

## **Part I. Workers' Compensation Administration**

### **Subpart 1. General Administration**

#### **Chapter 1. General Provisions**

##### **§103. Definitions**

A. For the purposes of these rules, the following definitions apply.

*Act*—the Louisiana Workers' Compensation Law, Chapter 10, R.S. 23.

*Carrier*—unless otherwise indicated, insurance companies, self-insured employers and group self-insured employers.

*Clerk*—the clerks of the district courts in Louisiana.

*Director*—unless otherwise indicated, the assistant secretary of Louisiana Works responsible for workers' compensation administration.

*Employee Notice*—the notice the employer is required to keep posted in the workplace.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:776 (August 1985), amended by the Department of Employment and Training, LR 17:358 (April 1991), amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

##### **§105. Forms**

A. The following forms are prescribed for use as required by the Workers' Compensation Act and these rules.

1. Form LW-WC-IA-1, Employer's First Report of Injury or Illness, shall be filed with the employer's insurer when required by R.S. 23:1306. Failure to file this form as required may be penalized pursuant to LAC 40:I.109.

2. Form LW-WC-1020, Employee's Monthly Report of Earnings, shall be filed with the employer's insurer by employees who receive workers' compensation indemnity disability benefits within 30 days of their job-related injury, and every 30 days thereafter as long as they receive workers' compensation indemnity disability benefits. This form does not have to be filed by employees who only have received medical benefits. Failure to file this form as required may result in a suspension of benefits.

3. Form LW-WC-1025

a. Form LW-WC-1025.ER, Employer Certificate of Compliance, shall be filed with the employer's insurer after Form LW-WC-IA-1 has been filed with the Office of Workers' Compensation. Employers who fail to file this form as required are subject to a penalty of \$500, payable to the insurer.

b. Form LW-WC-1025.EE, Employee Certificate of Compliance, shall be filed with the employer's insurer by employees within 14 days of their receipt of the form, after Form LW-WC-IA-1 has been filed with the Office of Workers' Compensation. Employees who fail to file this

form as required may have their benefits suspended; after this form is filed, employees are entitled to all suspended benefits, if otherwise eligible for benefits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 11:776 (August 1985), amended by the Department of Employment and Training, LR 17:358 (April 1991), amended by the Department of Labor, Office of Workers' Compensation, LR 22:221 (March 1996), LR 22:992 (October 1996), amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

##### **§109. Compliance Penalty**

A. ...

B. A person or entity may appeal any penalty imposed pursuant to this rule by filing a Disputed Claim Form, LW-WC-1008, in the court of proper venue or at headquarters in Baton Rouge, LA. All such appeals shall be de novo. Any penalty imposed pursuant to this rule becomes final and may be pursued for collection unless such an appeal is filed within 30 days of the notice of the penalty.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291(B)(13).

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:776 (August 1985), amended by the Department of Employment and Training, Office of Workers' Compensation, LR 17:358 (April 1991), amended by the Department of Labor, Office of Workers' Compensation, LR 22:221 (March 1996), repromulgated LR 22:285 (April 1996), amended LR 22:992 (October 1996), amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

#### **Chapter 7. Rehabilitation Services**

##### **§703. Statutory Requirements**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:307 (May 1987), repromulgated by the Department of Employment and Training, Office of Workers' Compensation Administration, LR 18:148 (February 1992), repealed by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

##### **§705. Definitions**

A. For purposes of this Section, the following definitions apply to Chapter 7.

*Evaluation*—any testing, analysis or assessment of the occupationally disabled employee's physical and/or vocational capabilities used to determine the need for and practicability of rehabilitation services to restore the employee to gainful employment.

*Private Agencies*—companies which provide vocational rehabilitation services for a fee.

*Reemployment Services*—services used to reemploy the occupationally disabled employee in a suitable, gainful occupation as adjusted by his/her physical and vocational ability at that time.

*Rehabilitation*—the restoration of an occupationally injured or diseased employee to employment as soon as possible after the injury.

*Rehabilitation Services*—vocational and/or reemployment services necessary to restore an occupationally disabled employee, as nearly as possible, to his/her pre-injury status.

*State and Federal Agencies*—those agencies which provide vocational education paid for with tax money.

*Suitable Gainful Employment*—employment or self-employment, after rehabilitation which is reasonably attainable and which offers an opportunity to restore the individual as soon as practical and nearly as possible to his average earnings at the time of this injury including any sheltered employment, odd-lot or employment while working in pain.

*Vocational Restorative Services*—vocational services needed to restore the occupationally disabled employee to his/her pre-injury employment or if that is not possible to that which he/she enjoyed prior to the occupational injury or disease. Such services include but are not limited to, the following: psychological and vocational evaluations, counseling and training services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:308 (May 1987), repromulgated by the Department of Employment and Training, Office of Workers' Compensation Administration, LR 18:148 (February 1992), amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

#### **§707. Responsibility to Provide Service**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:308 (May 1987), repromulgated by the Department of Employment and Training, Office of Workers' Compensation Administration, LR 18:148 (February 1992), repealed by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

#### **§711. Claims**

A. A rehabilitation dispute or claim can be filed on Form LW-WC-1008 by the employee, employer or carrier when rehabilitation services are not voluntarily offered or accepted. The judge may consider written vocational rehabilitation evaluations and plans prepared by a private or public rehabilitation provider or counselor and/or may refer the employee to a qualified physician and/or approved facility, individual, institution or organization for the evaluation of the practicality, advisability and necessity of rehabilitation services to restore the employee to suitable gainful employment. Any evaluation ordered by the judge shall be completed in 45 days from the receipt of the referral from the judge, with the expense of such evaluation to be borne by the employer/carrier.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:308 (May 1987), repromulgated by the Department of Employment and Training, Office of Workers' Compensation Administration, LR 18:149 (February 1992), amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

#### **§713. Adjudication by Hearing Officer**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:308 (May 1987), repromulgated by the Department of Employment and Training, Office of Workers' Compensation Administration, LR 18:149 (February 1992), repealed by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

#### **§715. Duration**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:308 (May 1987), repromulgated by the Department of Employment and Training, Office of Workers' Compensation Administration, LR 18:149 (February 1992), repealed by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

#### **§719. Location of Services**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:308 (May 1987), repromulgated by the Department of Employment and Training, Office of Workers' Compensation Administration, LR 18:149 (February 1992), repealed by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

#### **§721. Penalty for Refusal**

A. ...

B. Demonstration of a lack of responsibility by the occupationally disabled employee in following through with the rehabilitation plan or refusal to accept rehabilitation as deemed necessary by the judge shall result in a 50 percent reduction in weekly compensation, including supplemental earnings benefits pursuant to R.S. 23:1221(3), for each documented week of the period of refusal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:308 (May 1987), repromulgated by the Department of Employment and Training, Office of Workers' Compensation Administration, LR 18:149 (February 1992), amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

#### **§723. Payment of Temporary Disability**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:308 (May 1987), repromulgated by the Department of Employment and Training, Office of Workers' Compensation Administration, LR 18:149 (February 1992), repealed by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

#### **§725. Approved List of Rehabilitation Providers**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1226.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation Administration, LR 11:778 (August 1985), repromulgated LR 13:309 (May 1987), repromulgated by the Department of Employment and Training,

Office of Workers' Compensation Administration, LR 18:149 (February 1992), repealed by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

## **Chapter 19. Fraud**

### **§1901. Forms and Procedures**

A. The following forms are prescribed for use pursuant to R.S. 23:1208(F):

1. LW-WC-1025.EE Employee Certificate of Compliance;
2. LW-WC-1025.ER Employer Certificate of Compliance;

B. Per R.S. 23:1208(G), the employee shall, upon reasonable request, report his other earnings to his employer's payor on LW-WC-1020, Employee's Monthly Report of Earnings, unless an employee has only received medical benefits.

C. Issues arising out failure to file these required forms are to follow procedures in R.S. 23:1201.1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1208 and 23:1291.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:359 (April 1991), amended by the Department of Labor, Office of Workers' Compensation, LR 22:222 (March 1996), amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

### **§1903. Certification; Report**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1208 and 23:1291.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:359 (April 1991), amended by the Department of Labor, Office of Workers' Compensation, LR 22:222 (March 1996), repealed by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

### **§1905. Penalty Notice; Hearings; Appeal**

A. The assistant secretary shall notify the employee and employer of any civil penalty imposed for violation of R.S. 23:1208. In addition, the assistant secretary shall file the notice of penalty in the record of the court of proper venue.

B. A person may appeal any penalty imposed pursuant to R.S. 23:1208 by filing Form LW-WC-1008, Disputed Claim for Compensation, in the district where the claimant is located or in Baton Rouge, LA. All such appeals shall be de novo. Any penalty imposed pursuant to this law becomes final and may be pursued for collection unless such an appeal is filed within 30 days of the notice of penalty.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1208 and 23:1291.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:359 (April 1991), amended by the Department of Labor, Office of Workers' Compensation, LR 22:223 (March 1996), LR 22:993 (October 1996), amended by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

### **§1907. Notice of Penalty; Filing**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1208 and 23:1291.

HISTORICAL NOTE: Promulgated by the Department of Employment and Training, Office of Workers' Compensation, LR 17:359 (April 1991), amended by the Department of Labor, Office of Workers' Compensation, LR 22:223 (March 1996), repealed by the Louisiana Works, Office of Workers' Compensation Administration, LR 52:

## **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to update the hearing rules has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

## **Poverty Impact Statement**

The proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973.B. In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

## **Small Business Analysis**

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

## **Provider Impact Statement**

The proposed change should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

## **Public Comments**

All interested persons are invited to submit written comments or hearing request on the proposed Rule. Such comments or request should be sent to Brian Blackwood, OWCA Assistant Secretary, 1001 North 23<sup>rd</sup> Street, 4<sup>th</sup> Floor-Annex, Baton Rouge, LA 70802 by November 10, 2025, at 5 p.m.

Susana Schowen  
Secretary

## **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

### **RULE TITLE: General Administration**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change is not anticipated to result in any implementation costs or savings to state or local governmental units.

The purpose of the proposed rule change is to correct outdated references, eliminate redundancies, update definitions, align provisions with current statutory authority, clarify an appeal and penalty process, and ensure internal consistency across all fraud provisions.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no anticipated effects on state or local revenues as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to result in any costs or economic benefits to persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.

Brian Blackwood  
Assistant Secretary  
2510#061

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Public Safety and Corrections  
Gaming Control Board**

Gaming Control Board  
(LAC 42:III.2325 and 2723)

The Department of Public Safety and Corrections, Gaming Control Board, in accordance with R.S. 27:15, R.S. 27:24, and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend LAC 42:III.2325 and LAC 42:III.2723. The rule change allows for LAC 42:III.2325 and LAC 42:III.2723 to comply with newly enacted federal law One, Big, Beautiful Bill Act (Public Law 119-21) and allow the reporting threshold to conform to the federal reporting requirement.

**Title 42**

**LOUISIANA GAMING**

**Part III. Gaming Control Board**

**Chapter 23. Compliance, Inspections and Investigations**

**§2325. Administrative Actions and Penalty Schedule**

A. - G. ...

H. Penalty Schedule

Section Reference	Description	Base Penalty	Proscriptive Period (Months)
<b>Chapter 29. Operating Standards</b>			
***			
<b>Chapter 31. Rules of Play</b>			
***			
<b>Chapter 33. Surveillance</b>			
***			
<b>Chapter 34. Security</b>			
***			
<b>Chapter 35. Patron Disputes</b>			
***			
<b>Chapter 40. Designated Check Cashing Representatives</b>			
***			
<b>Chapter 42. Electronic Gaming Devices</b>			
***			
<b>Chapter 43. Specifications for Gaming Devices and Equipment</b>			
***			
<b>Revised Statutes, Title 27. Louisiana Gaming Control Law</b>			
<b>Chapter 2. Louisiana Gaming Control Board</b>			
***			
<b>Chapter 4. The Louisiana Riverboat Economic Development and Gaming Control Act</b>			
<b>Part III. Gaming Enforcement Division</b>			
***			
<b>Part V. Conducting of Gaming Operations</b>			
***			
<b>Part VIII. Issuance of Permits to Manufacturers, Suppliers, and Others</b>			
***			
<b>Chapter 5. The Louisiana Economic Development And Gaming Corporation Law</b>			
<b>Part V. General Corporation Gaming Operations</b>			
***			
<b>Part VI. Land-Based Casino Operating Contract</b>			
***			
<b>Part VII. Licenses, Fees, and Registration</b>			
***			
<b>Part IX. Prohibitions, Exclusions, and Gaming Offenses</b>			
***			
<b>Chapter 7. Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act</b>			
<b>Part II. O Conduct of Slot Machine Gaming Activity</b>			
***			

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 38:1620 (July 2012), amended LR 40:1381 (July 2014), amended LR 45:582 (April 2019), LR 52:

**Chapter 27. Accounting Regulations**

**§2723. Internal Controls; Slots**

A. - D.1.i. ...

j. verification and witness by an additional permitted gaming employee if the jackpot is less than the amount required for the filing of a W2-G or similar federal tax withholding form. This signature is not required if the jackpot is paid in accordance with § 2723.C.9. If the jackpot requires federal reporting, the additional permitted gaming employee shall be an employee from a department independent of the department performing the payout.

2. - 6. ...

E. If a jackpot requires federal reporting, the following shall be obtained by the slot attendant prior to payout and for preparation of a Form W-2G:

E.1. - R.11. ...

Section Reference	Description	Base Penalty	Proscriptive Period (Months)
<b>Louisiana Administrative Code, Title 42, Part III</b>			
<b>Chapter 21. Licenses and Permits</b>			
***			
<b>Chapter 23. Compliance, Inspections, and Investigations</b>			
***			
<b>Chapter 25. Transfers of Interest in Licensees and Permittees; Loans and Restrictions</b>			
***			
<b>Chapter 27. Accounting Regulation</b>			
***			
2723.E	Jackpot Payout Slips greater than the amount required to file a W2-G (\$2,000 as of 1/1/26. After 2026, the amount grows with inflation.)	\$1,000	12
***			

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 38:1641 (July 2012), amended LR 44:1449 (August 2018), amended LR 44:2014 (November 2018), LR 52:

#### **Family Impact Statement**

Pursuant to the provisions of R.S. 49:972, the Gaming Control Board, through its chairman, has considered the potential family impact of the proposed Rule.

The proposed Rule has no known impact on the following:

1. the effect on stability of the family.
2. the effect on the authority and rights of parents regarding the education and supervision of their children.
3. the effect on the functioning of the family.
4. the effect on family earnings and family budget.
5. the effect on the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

#### **Poverty Impact Statement**

Pursuant to the provisions of R.S. 49:973, the Gaming Control Board, through its chairman, has considered the potential poverty impact of the proposed Rule.

The proposed Rule has no known impact on impact on the following:

1. the effect on household income, assets, and financial security.
2. the effect on early childhood development and preschool through postsecondary education development.
3. the effect on employment and workforce development.
4. the effect on taxes and tax credits.
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

#### **Small Business Analysis**

Pursuant to the provisions of R.S. 49:974.2-974.8, the Regulatory Flexibility Act, the Louisiana Gaming Control Board, through its chairman, has concluded that the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

#### **Provider Impact Statement**

Pursuant to the provisions of HCR170 of 2014, the Gaming Control Board, through its chairman, has considered the potential provider impact of the proposed Rule.

The proposed Rule has no known impact on impact on the following:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the costs to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments to Cathryn E. Gits, Assistant Attorney General, Louisiana Department of Justice, Gaming Division, 1885 North Third Street, Fifth Floor, Baton Rouge, LA 70802. All comments must be submitted no later than the end of business day, central time zone, of November 10, 2025.

Christopher B. Hebert  
Chairman

## **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Gaming Control Board**

### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule is not anticipated to result in any costs or savings for the Louisiana Gaming Control Board (Board).

In order to comply with newly enacted federal law, Public Law 119-21, the Board proposes to amend Title 42 (Louisiana Gaming) of the Louisiana Administrative Code, Part III, Chapter 23 (Compliance, Inspections and Investigations), Section 2325, and Chapter 27 (Accounting Regulations), Section 2723. Specifically, the proposed rule eliminates the current \$1,200 threshold for issuing a Form W-2G on slot machine jackpots and replaces it with language consistent with the federal reporting requirements in Public Law 119-21, which increases the jackpot reporting threshold to \$2,000, effective 2026, and allows for annual adjustments for inflation beginning in 2027.

### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no anticipated effect on revenue collections of state or local governmental units.

### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

There are no anticipated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.

### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Christopher B. Hebert  
Chairman  
2510#049

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## **NOTICE OF INTENT**

### **Department of Public Safety and Corrections Office of Motor Vehicles**

Auto Title Companies (LAC 55:III.Chapter 15)

Under the authority of R.S. 32:735 and R.S. 32:737, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:961 et seq., the Office of Motor Vehicles (OMV) hereby proposes to amend sections in Chapter 15, regarding auto title companies. OMV is proposing these amendments as a result of the review required by R.S. 49:964(D) and the Governor's Executive Order, JML 25-38. These amendments update the rules to reflect current practices. This proposed Rule shall become effective upon the promulgation of the permanent Rule in the *Louisiana Register*.

**Title 55**  
**PUBLIC SAFETY**

**Part III. Motor Vehicles**

**Chapter 15. Services Provided by Persons and Business Entities**

**Subchapter A. Auto Title Companies**

**§1501. Definitions**

*Assistant Secretary*—assistant secretary of the Office of Motor Vehicles, also known as the Commissioner of the Office of Motor Vehicles.

*Auto Title Company*—any person, firm, association, or corporation which is engaged primarily in the transfer and recordation of sales, leases, or mortgages of vehicles including, but not limited to, mobile homes, trailers, and motor vehicles. The term *auto title company* also means any person, firm, association, or corporation which has been licensed in accordance with the provisions of R.S. 32:735 et seq. An auto title company shall not mean an insurance company transferring titles to wrecked vehicles, or a licensed motor vehicle dealer, lending institution, financial institution regulated by state or federal authorities, or a notary, attorney, or individual applicant unless he or it is doing business as an auto title company.

*Department*—Department of Public Safety and Corrections, Office of Motor Vehicles.

*Doing Business as an Auto Title Company*—any act by which a person, firm, association, or corporation holds himself or itself out to the public as being engaged in the business of handling transactions involving the transfer and recordation of sales, leases, or mortgages of vehicles including, but not limited to, mobile homes, trailers, and motor vehicles, but does not include an attorney, notary, financial institution, lending institution, or insurance company, unless these entities or persons issue temporary registrations.

*Person*—includes an individual, corporation, partnership, limited liability company, firm, association, or other legal entity formed to conduct business.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:345 (February 1998), amended LR 52:

**§1503. Requirement of Contract**

A. Any person who is engaged primarily in the transfer and recordation of sales, leases, or mortgages of vehicles including, but not limited to, mobile homes, trailers, and motor vehicles shall contract with the Department of Public Safety and Corrections, Office of Motor Vehicles prior to conducting any business as an auto title company.

B. A person shall not be required to obtain a contract as an auto title company if the person is an insurance company transferring titles to wrecked vehicles, a licensed motor vehicle dealer, a lending institution, or a financial institution regulated by state or federal authorities. Additionally, a notary, attorney, or individual shall not be required to obtain a contract as an auto title company unless the person is doing business as an auto title company.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B) and R.S. 32:737.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:345 (February 1998), amended LR 49:1229 (July 2023), amended LR 52:

**§1505. Application Requirements**

A. The application for an auto title company shall be on a form approved by the department, and shall require the applicant to provide the following information:

1. - 2. ...

3. The e-mail address and telephone number, including area code, for each place of business or location listed on the application;

4. If the applicant is not an individual, the full name, complete physical and mailing addresses, and telephone number of a contact person;

5. If the applicant is not an individual, the full name, the e-mail address, telephone number including area code, and the complete physical and mailing addresses of all officers, directors, and managers of the applicant;

6. A signed and dated statement by each individual listed in the application, stating that they are submitting themselves for review by the department to determine if they are persons of good moral character, and that they authorize the department to check their criminal history; and such other information or documentation that the department may require in order to determine the eligibility of the applicant, and

7. - 12. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B) and R.S. 32:737.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:345 (February 1998), amended LR 49:1229 (July 2023); amended LR 52:

**§1507. Application Fee**

A. The applicant shall pay a biennial annual contract application fee of \$400 for one business location. An annual fee of \$100 will be required for each additional business location. The contract fee shall be paid by cash, money order, or check, made payable to the Department of Public Safety and Corrections. If payment is made with a check, the check must be written on an account in the same name as the business name.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B) and (C).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:346 (February 1998), amended LR 49:1229 (July 2023), amended LR 52:

**§1509. Renewal Application**

A. Every contract issued shall expire on May 31 following the year in which such contract was issued. The contract may be renewed bi-annually at least 60 days in advance of the expiration date of the contract by submitting to the Office of Motor Vehicles an application for renewal, together with the license renewal fee and the surety bond continuation certificate for the renewal period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B) and (C).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:346 (February 1998), amended LR 49:1230 (July 2023), amended LR 52:

**§1511. Change of Location or Information**

A. In the event a contracted auto title company changes its business location, or any information provided on the original application or subsequent renewal application changes, the company shall submit an updated application (DPSMV 1968), an original bond change rider, and the current original auto title company license.

B. Application for change of location must be approved prior to the auto title company conducting business in the new location.

C. An \$8 handling fee shall be assessed when a Public Tag Agent relocates and a new certificate is issued or if a duplicate certificate is required.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B), R.S. 32:737, and R.S. 32:412.1(C).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:346 (February 1998), amended LR 49:1230 (July 2023), amended LR 52:

**§1513. Change of Ownership**

A. As part of its application for a license, an auto title company shall agree, in writing, to the updating requirements of §1513.

B. In the event there is a change in the ownership of an applicant or a contracted auto title company, the applicant or contracted auto title company, as the case may be, shall submit an updated application (DPSMV 1968), an original bond change rider, and the current original auto title company contract, if issued. If the surety will not issue a bond rider, then a new bond shall be submitted with the application. If a new bond is required, the old bond shall not be canceled until the department approves the ownership change and the new bond. In the event that the old bond is canceled, the surety on the old bond shall remain liable for any claim against the old bond for any transaction handled by the licensee during the effective dates of the old bond. The bonding requirements of §1513 may be altered by the department if the department is satisfied that the state and its citizens are adequately protected from any losses resulting from the acts or omissions attributable to the licensee during the effective dates of the bond.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B) and R.S. 32:737.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:346 (February 1998); amended LR 52:

**§1515. Inspections and Audits**

A. As part of its application for a contract, an auto title company shall agree, in writing, to the audit and inspection requirements of §1515.

B. During the normal working hours of the department, or at any other time the contracted auto title company is open for business, employees or agents of the department or of the Department of Revenue shall have the right to inspect and audit any and all records or reports of the auto title company. The records and reports shall be made available immediately on request, unless the records or reports are currently in use, but no later than by the close of business following the day the request for the records was made. In lieu of submitting the original records and reports, the auto

title company may submit copies to the person requesting the records and reports, at the auto title company's cost, if the person requesting the records and reports is satisfied with the accuracy of the copies.

C. During the normal working hours of the department, or at any other time the licensee is open for business, employees or agents of the department or of the Department of Revenue shall have the right to inspect the premises of any office of the licensee where auto title business is conducted or where the records and reports of the auto title company are kept.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:346 (February 1998), amended LR 49:1230 (July 2023), amended LR 52:

**§1517. Contract Suspension, Revocation, Cancellation, Non-issuance, or Restrictions**

A. The following actions by a contractor or applicant or any of the contractor's or applicant's employees, managers, agents, representatives, officers, directors or owners may subject the contractor or applicant to suspension, revocation, or cancellation of the contract by the department or the imposition of restrictions by the department. Additionally, the department may deny an application and refuse to issue a contract for any of the following actions by a contractor or applicant or any of the contractor's or applicant's employees, managers, agents, representatives, officers, directors or owners:

1. - 2. ...

3. Operating as an auto title company without a contract for each location, with an expired contract, or without a valid surety bond on file with the Office of Motor Vehicles;

4.a. the issuance of more than one temporary registration plate, also known as a T-marker, to a title applicant; or

b. the issuing of a T-marker without first collecting all taxes and fees and requiring the title applicant to show proof of compliance with the compulsory insurance law;

5. Operating from an unauthorized location;

6. - 7. ...

8. Being a principal or accessory to the alteration of documents relevant to a registration or titling transaction that results in material injury to the public records or a shortfall in the collection of taxes or fees owed;

9. The forwarding to the Office of Motor Vehicles by an auto title company of a document relevant to a registration or titling transaction that results in a material injury to the public records, or a shortfall in the collection of taxes or fees owed when the auto title company had knowledge of facts causing such injury or shortfall, and failed to disclose the same to the Office of Motor Vehicles;

10. Conviction of, or an entry plea of guilty or nolo contendere to any felony; or conviction of, or an entry plea of guilty or nolo contendere to any criminal charge, an element of which is fraud;

11. Fraud, deceit, or perjury in obtaining any contract issued under this Chapter;

12. Failure to maintain, at all times during the existence of the contract, all qualifications required for issuance or renewal of a contract;



13. Any material misstatement of fact, or omission of fact, in any application for the issuance or renewal of a contract for an auto title company;

14. The repeated submission of checks which have been dishonored by the bank on which the check was drawn;

15. Submission of a payment using a credit or debit card or any form of electronic payment that is the subject of a chargeback, if the contracted auto title company fails to make the required payment within thirty days after the date that notice of such chargeback is mailed to the auto title company by the Office of Motor Vehicles.

16. Failure to provide requested documents in a manner set forth in §1515.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B) and R.S. 32:737.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:346 (February 1998), amended LR 25:2414 (December 1999), amended LR 49:1230 (July 2023), amended LR 52:

#### **§1519. Declaratory Orders and Rulings**

A. Any person desiring a ruling on the applicability of any statute, or the applicability or validity of any rule to the regulation of auto title companies shall submit a written petition to the assistant secretary. The written petition shall cite all constitutional provisions, statutes, ordinances, cases, and rules which are relevant to the issue presented or which the person wishes the assistant secretary to consider prior to rendering an order or ruling in connection with the petition. The petition shall be typed, printed, or written legibly and signed by the person seeking the ruling or order. The petition shall also contain the person's full printed name, the complete physical and mailing address of the person, and a daytime telephone number.

B. The assistant secretary may request the submission of legal memoranda to be considered in rendering any order or ruling. The assistant secretary or his designee shall base the order or ruling on the documents submitted, including the petition and legal memoranda. If the assistant secretary or his designee determines that the submission of evidence is necessary for a ruling, the matter may be referred to a hearing officer prior to the rendering of the order or ruling for the taking of such evidence.

C. Notice of the order or ruling shall be sent to the person submitting the petition, as well as the persons receiving notice of the petition, at the mailing addresses provided in connection with the petition.

D. The assistant secretary may decline to render an order or ruling if the person submitting the petition has failed to comply with any requirement in §1519.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B) and R.S. 49:977.4.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:347 (February 1998), amended LR 52:

#### **§1521. Insufficient Funds Checks**

A. Any auto title company which has submitted more than one payment, whether in the form of an electronic ACH, debit, paper draft, or check to the department which have been returned because of insufficient funds in the account shall be required to use a cashier's check, certified check, or money order to pay taxes and fees when submitting any transaction to the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B) and R.S. 32:737

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:347 (February 1998), amended LR 49:1231 (July 2023), amended LR 52:

#### **§1523. Administrative Hearings**

A. Any request for an administrative hearing must be submitted in writing to the Department of Public Safety and Corrections, Office of Motor Vehicles, Hearing Request, at Box 64886, Baton Rouge, LA 70896-4886, or hand delivered to the Office of Motor Vehicle Headquarters in Baton Rouge, LA. Any request for an administrative hearing must be received by the department within 30 days of the date the notice of suspension, revocation, cancellation, denial, or other action, was mailed, or hand delivered, as the case may be.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:347 (February 1998), amended LR 52:

#### **§1525. Third Party Checks Prohibited**

A. The department will not accept a check by a third party on behalf of an applicant for title and/or registration unless the check is submitted by an attorney, notary, motor vehicle dealer, insurance company transferring title to a wrecked vehicle, lending institution, financial institution regulated by state or federal authorities, or a duly licensed auto title company.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 24:347 (February 1998), amended LR 52:

#### **§1527. Name, Trade Name, Advertisements, and Other Signage of Auto Title Companies**

A. Since auto title companies may charge convenience fees and may offer services not available at an Office of Motor Vehicles field office, no auto title companies shall display any sign which may mislead the public into believing that the auto title company's office or business establishment is a field office of the Office of Motor Vehicles.

B. No auto title company shall display any sign, logo, business name, or trade name, or cause to be advertised any sign, logo, business name, or trade name which includes the words "office of motor vehicles," "motor vehicle office," or "motor vehicles office," or any similar phrases, unless the sign, logo, business name, trade name, or advertisement clearly and prominently includes a statement indicating the business's status as an auto title company.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:735(B) and R.S. 32:737.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 25:2415 (December 1999), amended LR 49:1231 (July 2023), amended LR 52:

#### **Family Impact Statement**

The proposed Rule is not anticipated to have an impact on family formation, stability, and autonomy as described in R.S. 49:972.

### Poverty Impact Statement

The proposed Rule is not anticipated to have an impact on poverty as defined by R.S. 49:973.

### Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

### Provider Impact Statement

The proposed Rule is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

### Public Comments

All interested persons may submit written comments through November 11, 2025, to Stephen A. Quidd, Executive Management Officer, Office of Motor Vehicles, Louisiana Department of Public Safety and Corrections, at P. O. Box 64886, Baton Rouge, LA 70896, delivered to 7979 Independence Blvd., Suite 301, Baton Rouge, LA 70806, or e-mailed to stephen.quidd2@la.gov .

### Public Hearing

A public hearing on the proposed Rule will be held on November 25, 2025, at the Louisiana Department of Public Safety and Corrections, Office of Motor Vehicles Headquarters, 7979 Independence Blvd., Suite 301, Baton Rouge, La. 70806, (225) 925-6281, beginning at 9 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact the above number at least seven working days in advance of the hearing. For assistance, call (225) 925-6281 (voice and TDD). Any interested person should call before coming to the public hearing as the hearing will be cancelled if the requisite number of comments, as provided in R.S.49:961(B), are not received.

Keith E. Neal  
Commissioner

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Auto Title Companies

### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in any costs or savings for the Office of Motor Vehicles (OMV).

In order to comply with Executive Order JML 25-38, OMV proposed to amend Sections, 1501, 1505, 1509, 1511, 1513, 1515, and 1517 of Part III, Chapter 15 (Services Provided by Persons and Business Entities), Title 55 (Public Safety) of the Louisiana Administrative Code. The proposed rule updates language to align with current practice. Specifically, this rule:

- Clarifies that the assistant secretary of the OMV is also recognized as the Commissioner of the OMV.
- Replaces the terms “person” and “natural person” with “individual” throughout the chapter.
- Requires an e-mail address for each place of business or location listed on an auto title company application.
- Requires the e-mail address and telephone number of all officers, directors, and managers when the applicant is not an individual.

- Adds language which allows the department to request additional information or documentation as needed to determine whether the applicants listed are of good moral character.
- Replaces the term “license” with “contract” throughout the chapter.
- Expands compliance requirements and prevents potential loopholes by including the term “fees,” ensuring that non-tax charges are also properly regulated.
- Adds language specifying that if a contracted auto title company fails to remit payment within 30 days of notice for any credit, debit, or electronic payment subject to a chargeback, the department may suspend, revoke, or cancel the contract; impose restrictions; or deny or refuse to issue a contract.

### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on revenue collections of state or local governmental units.

### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

There are no anticipated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.

### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Keith E. Neal  
Commissioner  
2510#031

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Public Safety and Corrections Office of State Police Bureau of Criminal Identification and Information

Criminal History Background Checks on  
Licensed Ambulance Personnel and Nonlicensed Persons  
(LAC 55.I.Chapter 2)

The Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information in accordance with R.S. 15:575, R.S. 40:1203.1 and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend Title 55, Part I, Chapter 2 (Criminal History Background Checks on Licensed Ambulance Personnel and Nonlicensed Persons), Sections 201, 203, 205, 207, and 209. This proposed Rule expands eligibility for approval as an authorized agency to include individuals employed by a business entity domiciled in Louisiana, registered and in good standing with the Secretary of State at the time of application, and whose primary business is conducting background screenings. Further, it clarifies that a technology fee of \$5 shall be assessed for each civil background check conducted, regardless of the entity, to be distributed to the Louisiana Sheriffs' Association for the enhancement of criminal history data collection. Finally, the proposed Rule adds language requiring that any criminal history check containing possible arrest information be resubmitted to the Louisiana Bureau of

Criminal Identification and Information for a fingerprint-based background check to obtain positive verification and updates statutory citations to reference the correct and current revised statutes.

#### **Title 55**

### **PUBLIC SAFETY**

#### **Part I. State Police**

### **Chapter 2. Criminal History Background Checks on Licensed Ambulance Personnel and Nonlicensed Persons**

#### **§201. Statement of Department Policy**

A. The rules contained herein are promulgated by the Louisiana Bureau of Criminal Identification and Information of the Department of Public Safety and Corrections, Office of State Police, in order to set forth the policies and procedures applicable to requesting and receiving criminal history background checks on licensed ambulance personnel and nonlicensed persons, pursuant to R.S. 40:1203.1 et seq., by employers and authorized agencies.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 15:575 et seq. and R.S. 40:1203.1 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 25:876 (May 1999), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

#### **§203. Definitions**

A. For the purposes of these rules, the following words and phrases shall mean:

*Applicant*—a person who has submitted a request to the Louisiana Department of Public Safety and Corrections, Office of State Police, Louisiana Bureau of Criminal Identification and Information in accordance with these rules to be approved as an authorized agency.

*Authorized Agency*—an individual who meets the qualification requirements and has been approved by the bureau to receive criminal history information to conduct employment screening pursuant to R.S. 40:1203.1 et seq.

*Bureau*—the Louisiana Bureau of Criminal Identification and Information within the Department of Public Safety and Corrections, Office of State Police as provided for in R.S. 15:576.

*Criminal History Record*—shall have the same meaning as provided for in R.S. 15:576.

*Employer*—shall have the same meaning as provided for in R.S. 40:1203.1(6).

*Licensed Ambulance Personnel*—shall have the same meaning as provided for in R.S. 40:1203.1(5).

*Nonlicensed Person*—shall have the same meaning as provided for in R.S. 40:1203.1(3).

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 15:575 et seq. and R.S. 40:1203.1 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 25:876 (May 1999), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

#### **§205. Application to be Approved by Authorized Agency**

A. An individual wishing to be approved as an authorized agency must submit an application to the bureau along with the following documents to prove the individual's qualifications.

1. The applicant must be currently licensed in the state of Louisiana as a private investigator or detective by the Louisiana State Board of Private Investigator Examiners as evidenced by current and valid licensure issued by the board, or an individual employed by a business entity domiciled in the state of Louisiana and registered and in good standing with the secretary of state at the time of application whose primary source of business is background screenings.

2. The applicant must not currently be charged by bill of information or under indictment for, or have been convicted of, any felony offense in this state or any other jurisdiction, and submit to a background investigation to determine such.

3. Proof of qualification to do business within the state of Louisiana as evidenced by a valid certificate of authority issued by the Secretary of State, and designation of an agent for service of process as required by law. If the applicant is operating as a sole proprietorship, a current valid occupational license will be accepted.

4. The applicant must execute a written agreement whereby she/he agrees to maintain the confidentiality of any and all information provided to it by the bureau pursuant to R.S. 40:1203.1 et seq., abide by all applicable laws, rules and regulations pertaining to receipt and use of criminal history information, cooperate in any auditing procedure conducted by the bureau, and inform the bureau in writing of any known violations regarding the use of criminal history information she/he receives.

B. - C. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 15:575 et seq. and R.S. 40:1203.1 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 25:876 (May 1999), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

#### **§207. Request for Criminal History Information**

A. A request for the bureau to conduct a criminal history check authorized by R.S. 40:1203.2 shall be made on a form provided by the bureau and submitted to it by an employer or authorized agency.

B. Each request for a criminal history check authorized by R.S. 40:1203.2 submitted to the bureau shall be accompanied by the fee of \$26 as established by R.S. 40:1203.2(B)(2) and LAC 55:I.101.A and a \$5 technology fee as established by R.S. 15:587(D).

C. Each request for a criminal history check submitted to the bureau by an authorized agency shall be accompanied by a letter of engagement or contract with the employer as proof that the authorized agency may request and receive criminal history information on behalf of the employer. The results of each criminal history check submitted by an authorized agency on behalf of an employer will be reported to the authorized agency.

D. Any criminal history check that contains possible arrest information, shall be resubmitted to the Bureau for a fingerprint based background check for positive verification.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 15:575 et seq., and R.S. 40:1203.2 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 25:877 (May 1999), amended LR 43:676 (April 2017), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

**§209. Receipt and Use of Criminal History Information**

A. Any authorized agency or employer which receives criminal history information pursuant to R.S. 40:1203.7 shall maintain the confidentiality of the records obtained.

B. The criminal history information received by an employer or authorized agency shall be used for the sole purpose of determining the applicant's eligibility for employment with the stated employer.

C. Any authorized agency who fails to maintain the confidentiality of criminal history information obtained pursuant to R.S. 40:1203.7, or who uses such information for any purpose other than determining the applicant's eligibility for employment with the stated employer, shall have its approval as an authorized agency canceled and be ineligible to receive criminal history information pursuant to R.S. 40:1203.7.

D. Any authorized agency or employer who fails to maintain the confidentiality of criminal history information obtained pursuant to R.S. 40:1203.1 et seq., or uses such information for any purpose other than determining the applicant's eligibility for employment with the stated employer shall be subject to all other penalties provided by law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:575 et seq. and R.S. 40:1203.1 and 40:1203.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 25:877 (May 1999), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

**Family Impact Statement**

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. The effect on stability of the family.
2. The effect on the authority and rights of parents regarding the education and supervision of their children.
3. The effect on the functioning of the family.
4. The effect on family earnings and family budget.
5. The effect on the behavior and personal responsibility of children.
6. The ability of the family or a local government to perform the function as contained in the proposed rule.

**Poverty Impact Statement**

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. The effect on household income, assets, and financial security.
2. The effect on early childhood development and preschool through postsecondary education development.
3. The effect on employment and workforce development.
4. The effect on taxes and tax credits.
5. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

**Small Business Analysis**

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

**Provider Impact Statement**

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

1. The effect on the staffing level requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the costs to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

**Public Comments**

Interested persons may submit written comments to Heather Hood, Liaison Officer & Legal and Policy Strategist - Louisiana Department of Public Safety and Corrections, Office of State Police, 7919 Independence Blvd., Baton Rouge, LA 70806. All comments must be submitted no later than the end of business day, central time zone, November 9, 2025.

Markus Smith  
Lieutenant

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

**RULE TITLE: Criminal History Background Checks on Licensed Ambulance Personnel and Nonlicensed Persons**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule is not anticipated to result in any costs or savings for the Office of State Police (LSP) as it only updates the administrative code to reflect current practice.

LSP proposes to amend Title 55 (Public Safety), Part I, Chapter 2 (Criminal History Background Checks on Licensed Ambulance Personnel and Nonlicensed Persons), Sections 201, 203, 205, 207, and 209 of the Louisiana Administrative Code. Specifically, this proposed rule:

Expands eligibility for approval as an authorized agency to include individuals employed by a business entity domiciled in Louisiana, registered and in good standing with the Secretary of State at the time of application, and whose primary business is conducting background screenings.

Clarifies that a technology fee of five dollars shall be assessed for each civil background check conducted, regardless of the entity, to be distributed to the Louisiana Sheriffs' Association for the enhancement of criminal history data collection.

Adds language requiring that any criminal history check containing possible arrest information be resubmitted to the Louisiana Bureau of Criminal Identification and Information for a fingerprint-based background check to obtain positive verification.

Updates statutory citations to reference the correct and current revised statutes.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no anticipated effect on revenue collections of state or local governmental units. The technology fee of five-dollars is currently being collected and distributed to the Louisiana Sheriffs' Association for the enhancement of criminal history data collection. The proposed rule does not increase the current five-dollar fee.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

There are no anticipated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Dustin Browning  
Lieutenant  
2510#010

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Public Safety and Corrections  
Office of State Police  
Bureau of Criminal Identification and Information**

**Issuance of Concealed Handgun Permits  
(LAC 55.I.Chapter 13)**

The Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, in accordance with R.S. 40:1379.1, 40:1379.3, 40:1381, and 40:1382, and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby gives notice that it intends to amend Part I, Chapter 13 (Issuance of Concealed Handgun Permits), Sections 1301, 1305, 1307, 1309, and 1313 of the Louisiana Administrative Code. Specifically, this proposed Rule replaces mentions of "Louisiana citizens" with "persons" to include all qualifying individuals, clarifying that a concealed handgun permit grants authority to all who qualify, not just citizens of Louisiana. It further removes the definition of "citizen" and adds definitions for "non-resident" and "person." The proposed Rule updates the residency requirement to allow identification from the applicant's state or territory of residence, rather than limiting it to Louisiana-issued IDs. The proposed Rule also establishes a \$250 fee for five-year non-resident concealed handgun permit and a \$1,000 fee for a lifetime non-resident permit. Finally, the proposed Rule eliminates the automatic invalidation and mandatory return of concealed handgun permits when a permittee leaves the state. Additionally, permit holders will also no longer need to submit a new application upon returning as residents, ensuring that individuals who maintain lawful status retain continuous permit validity even if they temporarily reside outside the state.

**Title 55**

**PUBLIC SAFETY**

**Part I. State Police**

**Chapter 13. Issuance of Concealed Handgun Permits**

**§1301. Application and Permits**

A. The rules contained herein are promulgated by the Concealed Handgun Permit Unit of the Department of Public Safety and Corrections, Office of State Police, in order to set forth the policies and procedures applicable to the issuance of concealed handgun permits to persons who qualify for such permits pursuant to R.S. 40:1379.1 and 40:1379.3; to provide statewide uniform standards for

issuing permits to carry concealed handguns; and to maintain the health, welfare, and safety of the public. These considerations shall control the application and interpretation of these rules. Any subsequent restatement, repeal, or amendment of these rules shall be in accordance with the aforementioned considerations.

B. **Applicability.** The policies and procedures provided herein shall be applicable to all persons who are eligible for a statewide concealed handgun permit.

C. **Duties and Responsibilities.** Persons issued concealed handgun permits have the authority only to carry a concealed weapon and are regarded as private persons in all matters of law with no special powers or authority accruing by virtue of the concealed handgun permit.

D. - F. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 40:1379.1, 40:1379.3, 40:1381, and 40:1382.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety, Office of State Police, LR 1:495 (November 1975), amended by the Department of Public Safety and Corrections, Office of State Police, LR 22:845 (September 1996), LR 38:1279 (May 2012), repromulgated LR 38:1415 (June 2012), amended LR 43:671 (April 2017), LR 45:582 (April 2019), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

**§1305. Definitions**

A. For the purposes of these rules, the following words and phrases shall be defined as:

**Addiction**—the habitual use of alcoholic beverages or any controlled dangerous substance as defined in R.S. 40:961 and 40:964. Title 55, Part I 21 Louisiana Administrative Code July 2025

**Applicant**—a person who has completed and submitted an application to the department seeking a concealed handgun permit.

**Application**—the forms and schedules prescribed by the department upon which an applicant seeks a permit or the renewal thereof. Application also includes information, disclosure statements, releases, certificates or any other form required by the department in the application process.

**Concealed Handgun**—any handgun as defined in R.S. 40:1379.3(J)(3) which is carried on a person in such a manner as to hide or obscure the handgun from plain view.

**Department**—Louisiana Department of Public Safety and Corrections, Office of State Police.

**Deputy Secretary**—the deputy secretary of the Louisiana Department of Public Safety and Corrections who serves as the superintendent of the Office of State Police.

**Fixed-Case Marking Projectile**—any non-lethal simulated ammunition commonly referred to as 'simunition.'

**Fugitive from Justice**—a person who flees, evades, or escapes from any jurisdiction to avoid arrest, prosecution, or imprisonment for any criminal offense, which shall include outstanding traffic attachments or warrants, or to avoid giving testimony in any criminal proceeding.

**Illegal Alien**—any person without legal authority to enter or remain in the United States and who is not legally residing within the United States or any territory or possession of the United States.

**Law Enforcement Officer**—any individual who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has

statutory powers of arrest. For the purposes of this Section, this definition shall apply to the term “peace officer” and “police officer.”

*Machine Gun*—any firearm which shoots or is designed to shoot more than one round without reloading and by a single function of the trigger.

*Non-resident*—a person who is domiciled in any state or territory of the United States other than Louisiana.

*N.R.A.*—National Rifle Association.

*Permit*—the authorization issued by the deputy secretary of the Louisiana Department of Public Safety and Corrections pursuant to R.S. 40:1379.3 and these rules, which shall be valid for five years from the date of issuance for a five-year permittee, or for the lifetime of a permit holder for a lifetime permittee, unless revoked, suspended, or otherwise invalidated, and shall contain a permit number, date of expiration, and the name, address, date of birth, physical description, and photograph of the permittee.

*Permittee*—an individual who meets the qualifications as described in R.S. 40:1379.3 and these rules and to whom a concealed handgun permit has been issued.

*Person*—any individual who meets the eligibility requirements set forth in this Section for obtaining a concealed handgun permit.

*Pistol*—a handgun that has a short barrel and can be held, aimed, and fired with one hand and is capable of only firing a single round each time the trigger is pulled, which includes semi-automatic handguns.

*P.O.S.T.*—Council on Peace Officer Standards and Training. *Resident*—a person who is legally domiciled in Louisiana.

*Revolver*—a pistol that has a rotating cylinder containing a number of firing chambers. The action of the trigger or hammer will line up a chamber with the barrel and firing pin.

*Veteran*—any honorably discharged veteran of the Armed Forces of the United States including reserved components of the Armed Forces, the Army National Guard, the U.S. Public Health Service Commissioned Corps, and any other category of persons designated by the president in time of war or emergency.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 40:1379.1, 40:1379.3, 40:1381, and 40:1382.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 22:846 (September 1996), amended LR 28:1483 (June 2002), LR 38:1280 (May 2012), LR 43:672 (April 2017), LR 45:583 (April 2019), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

### **§1307. Applications and Permits**

A. Application materials may be obtained by accessing the Louisiana State Police website at [www.lsp.org](http://www.lsp.org).

#### **B. Initial Applications**

1. - 3. ...

4.a. A person applying for a permit shall submit a photocopy of a valid driver’s license or identification card issued by their state or territory of residence within the United States with the application.

i. The person shall possess a valid driver's license or identification card from their state or territory of residence within the United States.

ii. If the a driver's license or identification card from their state or territory of residence has been issued within six months of the application, proof of residency shall be established by any one of the following documents:

(a). United States passport;

(b). Voter registration card from their state or territory of residence;

(c). any other documentation, which adequately satisfies proof of compliance with residency qualifications.

b. - c. ...

5. For purposes of proof that the applicant is at least 21 years of age, a photocopy of his valid driver's license or valid identification card which contains the applicant's date of birth shall suffice.

6. - 13. ...

14. All applicants shall submit with the application a non-refundable fee in the form of a certified check, money order or any other means of payment as approved by the department. The applicable fees are as follows:

a. For a five-year resident concealed handgun permit, the fee shall be \$125;

b. For a lifetime resident concealed handgun permit, the fee shall be \$500;

c. For a five-year non-resident concealed handgun permit, the fee shall be \$250;

d. For a lifetime non-resident concealed handgun permit, the fee shall be \$1000;

e. ...

15. ...

C. Qualifications to Receive a Permit. To qualify for a concealed handgun permit, a person shall:

1. Not be ineligible to possess a firearm under 18 U.S.C. 922(g); and

2. Meet the requirements set forth in R.S. 40:1379.3 et seq.

#### **D. Renewal of Permits**

1. - 4. ...

5. Fingerprint submissions or other biometric identification information as determined by the Bureau shall be required upon renewal and/or submission of training for a lifetime concealed handgun permit if the Department of Public Safety determines that there is no Concealed Handgun Permit fingerprint card submission on file. Failure to comply shall be grounds for a denial or suspension.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 40:1379.1, 40:1379.3, 40:1381, and 40:1382.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 22:846 (September 1996), amended LR 28:1483 (June 2002), LR 38:1281 (May 2012), repromulgated LR 38:1415 (June 2012), amended LR 43:673 (April 2017), LR 45:583 (April 2019), LR 46:1232 (September 2020), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

### **§1309. Permits**

A. ...

B. A permit shall grant statewide authority to a permittee to carry and conceal on his person, in the manner prescribed by law and these rules, a handgun as defined by R.S. 40:1379.3(J)(1). A permit shall grant a permittee only the authority to carry a concealed handgun as a private person and grants no special authority to any person issued the permit.

C. - D. ...

E. Any permit issued pursuant hereto shall automatically become invalid for any of the following reasons:

1. The permit is altered in any manner;
2. The permit is lost or stolen;
3. The permittee is carrying it while under the influence of alcoholic beverages or a controlled dangerous substance.

F. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1379.1, 40:1379.3, 40:1381, and 40:1382.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 22:848 (September 1996), amended LR 38:1282 (May 2012), LR 45:583 (April 2019), repromulgated LR 45:680 (May 2019), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

### **§1313. Code of Conduct of Permittees**

A. - A.3 ...

B. Duties and Responsibilities of the Permittee

1. - 4. ...

5. A permittee shall immediately return the concealed handgun permit to the department upon automatic suspension or revocation of the permit. If the permit is under suspension, failure to immediately return the permit to the department may be grounds for revocation.

6. A permittee shall immediately inform the department in writing of any handgun related accident, discharge, incident, injury, or death involving any permittee. Failure to do so shall be grounds for suspension or revocation of an existing permit or denial of a renewal application.

7. Upon death of any permittee, the permittee's estate representative shall notify the department and return the concealed handgun permit to the department.

8. Any permittee or applicant who is subject to any preliminary or permanent injunction in any family or domestic dispute, or any other protective order issued pursuant to law, shall notify the department of the caption of the suit including the suit or proceeding number, the date of the issuance of the injunction or court order, and provide a signed copy of the court's order within three days of the issuance of any such order. Upon the issuance of the injunction or court order, the permit shall be automatically suspended and the department may revoke or deny the permit in accordance with law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1379.1, 40:1379.3, 40:1381, and 40:1382.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 22:850 (September 1996), amended LR 28:1484 (June 2002), LR 38:1284 (May 2012), LR 43:674 (April 2017), amended by the Department of Public Safety and Corrections, Office of State Police, Bureau of Criminal Identification and Information, LR 52:

### **Family Impact Statement**

Pursuant to the provisions of R.S. 49:972 the proposed Rule has no known impact on the following:

1. The effect on stability of the family.
2. The effect on the authority and rights of parents regarding the education and supervision of their children.
3. The effect on the functioning of the family.
4. The effect on family earnings and family budget.
5. The effect on the behavior and personal responsibility of children.

6. The ability of the family or a local government to perform the function as contained in the proposed rule.

### **Poverty Impact Statement**

Pursuant to the provisions of R.S. 49:973, the proposed Rule has no known impact on the following:

1. The effect on household income, assets, and financial security.
2. The effect on early childhood development and preschool through postsecondary education development.
3. The effect on employment and workforce development.
4. The effect on taxes and tax credits.
5. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

### **Small Business Analysis**

Pursuant to the provisions of R.S. 49:965.2-965.8, the Regulatory Flexibility Act, the proposed Rule is not anticipated to have an adverse impact on small business; therefore, a Small Business Impact Statement has not been prepared.

### **Provider Impact Statement**

Pursuant to the provisions of HCR170 of 2014, the proposed Rule has no known impact on impact on the following:

1. The effect on the staffing level requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the costs to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

### **Public Comments**

Interested persons may submit written comments to Heather Hood, Liaison Officer & Legal and Policy Strategist - Louisiana Department of Public Safety and Corrections, Office of State Police, 7919 Independence Blvd., Baton Rouge, LA 70806. All comments must be submitted no later than the end of business day, central time zone, November 9, 2025.

Markus Smith  
Lieutenant

## **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Issuance of Concealed Handgun Permits**

### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule is not anticipated to result in any costs or savings for the Office of State Police (LSP).

In compliance with Act 273 of the 2025 RS, LSP proposed to amend Title 55 (Public Safety), Part I, Chapter 13 (Issuance of Concealed Handgun Permits), Sections 1301, 1305, 1307, 1309, and 1313 of the Louisiana Administrative Code. Specifically, this proposed rule:

- Replaces mentions of "Louisiana citizens" with "persons" to include all qualifying individuals, clarifying that a concealed handgun permit grants authority to all who qualify, not just citizens of Louisiana.
- Removes the definition of "citizen" and adds definitions for "non-resident" and "person."
- Updates the residency requirement to allow identification from the applicant's state or territory of residence, rather than limiting it to Louisiana-issued IDs.

- Establishes a \$250 fee for five-year non-resident concealed handgun permit and a \$1,000 fee for a lifetime non-resident permit.
  - Eliminates the automatic invalidation and mandatory return of concealed handgun permits when a permittee leaves the state. Additionally, permit holders will also no longer need to submit a new application upon returning as residents, ensuring that individuals who maintain lawful status retain continuous permit validity even if they temporarily reside outside the state.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
- The proposed rule will result in an indeterminable increase in state revenues, with future collections increasing by \$250 for each five-year permit and \$1,000 for each lifetime permit issued to non-residents.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)
- To the extent non-residents purchase a concealed handgun permit, a cost of \$250 for each five-year license and \$1,000 for each lifetime license will be incurred.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
- Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Dustin Browning  
Lieutenant  
2510#012

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Revenue Tax Policy and Planning Division

Mandatory Electronic Filing and Payment Requirements  
(LAC 61:I.1515, 1525, and 4910; LAC 61.III.Chapter 15)

Under the authority of R.S. 13:5077, 26:354 and 492, 47:114, 114.1, 551, 1061, 1511, 1519, and 1520, and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, gives notice that rulemaking procedures have been initiated to amend LAC 61:I.1515, 1525, and 4910, to enact LAC 61:III.1500, 1502, and 1504, and to repeal LAC 61:III.1511-1525, 1529, 1530, 1533-1536, 1539-1550 for the purposes of updating, consolidating, and simplifying various rules related to electronic filing and payment requirements for certain taxes administered and collected by the Department of Revenue.

R.S. 47:1519(B)(1) authorizes the secretary to require payments by electronic funds transfer, and R.S. 47:1520(A)(2) authorizes the secretary to require electronic filing of tax returns or reports by administrative rule promulgated with legislative oversight in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. Over time, the secretary has promulgated rules requiring the electronic filing or payment or both of various taxes and fees. In most cases, each rule applies to a single tax type. This proposal seeks to consolidate those rules to make it easier for taxpayers to identify the returns, reports, and payments that must be filed electronically. The proposed Rules also extend the electronic filing and payment requirements to include all withholding tax returns and statements, the annual information return required to be filed

by certain service recipients, oil field site restoration fee returns, all sales tax returns, except the following: Consumer Use Tax return and payments, Fairs, Festivals, and Other Special Events Sales Tax Returns and payments, watercraft sales tax payments and certifications, Ernest N. Morial Convention Center Service Contractor Tax Return and Tour Tax Return and payments. The proposed Rule also requires electronic payment of all automobile rental taxes. Current rules only require electronic filing and payment of these taxes in certain circumstances. This Rule would apply to all returns filed for the specified tax types, unless specifically excepted.

## Title 61

### REVENUE AND TAXATION

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

#### Chapter 15. Income: Withholding Tax §1515. Withholding Tax Statements and Returns—Filing Requirements

A. Employers shall file a separate L-1 return electronically on a quarterly basis.

B. Employers are required to file a transmittal of withholding tax statements, Form L-3, with copies of the employee withholding statements, Form W-2s and any information returns such as Federal Form 1099.

1. The L-3 transmittal and employee withholding statements must be filed on or before the first business day following January 31 for the preceding calendar year.

2. If a business terminates during the year, the L-3 transmittal and employee withholding statements must be filed within 30 days after the last month in which the wages were paid.

3. If the due date falls on a weekend or holiday, the report is due the next business day and becomes delinquent the following day.

C. Separate submissions must be made for each employer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, R.S. 47:1519, R.S. 47:1520 and R.S. 47:114.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Revenue, Policy Services Division, LR 28:1489 (June 2002), amended LR 35:2204 (October 2009), LR 38:2382 (September 2012), LR 44:1638 (September 2018), LR 48:1294 (May 2022), LR 52:

#### §1525. Income Tax Withholding on Gaming Winnings

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

#### B. Reporting Requirements for Gaming Winnings

1. Businesses required to withhold and to submit income taxes on gaming winnings shall send the Department of Revenue an annual report containing a list of all winners in a format approved by the department. The report shall be filed electronically and contain the following information as printed on federal form W-2G:

a. the payor's name, address, and federal identification number;

b. the winner's name, address, social security number, gross winnings, amount of federal income taxes withheld, and amount of state income taxes withheld.

2. Pursuant to the authority of R.S. 47:114(D)(2) and to provide simplicity on related federal filing requirements, the secretary grants an extension of time to file to February 28th to coincide with the federal due date.



AUTHORITY NOTE: Promulgated in accordance with Act 80 of the 2021 Regular Session of the Louisiana Legislature, R.S. 47:32(A), R.S. 47:164, and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Service Division, LR 36:2877 (December 2010), LR 48:504 (March 2022), LR 52:

#### **Chapter 49. Tax Collection**

##### **§4910. Electronic Funds Transfer**

###### A. Electronic Funds Transfer Requirements

1. Taxpayers are required to remit their tax payments by electronic funds transfer when the payments made in connection with the filing of any business tax return or report averaged, during the prior 12-month period, more than \$5,000 per reporting period.

2. Any taxpayer may voluntarily remit amounts due by electronic funds transfer.

B. Definitions. For the purposes of this Section, the following terms are defined.

\* \* \*

*Other Immediately Investible Funds*— money orders, credit and debit card payments, bank drafts, certified checks, teller's checks, electronic checks, and cashier's checks. The taxpayer is responsible for payment of any fee charged for making payment by means defined in this Paragraph as other immediately investible funds.

*Payment*—any amount paid to the Department of Revenue representing a tax, fee, interest, penalty, or other amount.

C. Taxes Required to be Electronically Transferred. Tax payments required to be electronically transferred may include corporation income and franchise taxes including declaration payments; income tax withholding; sales and use taxes; severance taxes; excise taxes; and any other tax or fee administered or collected by the Department of Revenue except for individual income tax. A separate electronic funds transfer shall be made for each return.

###### D. Taxpayer Notification

1. Those taxpayers required to electronically transfer tax payments pursuant to this Section will be notified in writing by the department of the electronic funds transfer data format and procedures at least 90 days prior to the required electronic funds transfer effective date. Once required to remit taxes by electronic funds transfer, the taxpayer must continue to do so until notified otherwise by the department.

2. After one year, taxpayers whose average payments have decreased below the threshold may request to be relieved of the electronic funds transfer requirement.

3. Taxpayers experiencing a change in business operations that results in the average payments not meeting the requirements, may request to be relieved of the electronic funds transfer requirement.

###### E. - E.6. ...

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

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Office of the Secretary, LR 19:1032 (August 1993), repromulgated LR 19:1340 (October 1993), amended LR 20:672 (June 1994), LR 23:448 (April 1997), amended by the Department of Revenue, Office of the Secretary, LR 25:2442 (December 1999), amended by the Department of Revenue, Policy Services Division, LR 28:866 (April 2002), LR 29:2854 (December 2003), LR 31:484 (February 2005), LR 38:2382 (September 2012), LR 52:

### **Part III. Administrative and Miscellaneous Provisions**

#### **Chapter 15. Mandatory Electronic Filing of Tax Returns and Payment**

##### **§1500. General Rules for Electronic Filing and Payment**

###### A. Authority to Require Electronic Filing and Payment

1. Pursuant to R.S. 47:1519 and 1520, the secretary may require certain taxpayers to file returns and make payments electronically using the electronic format prescribed by the Department of Revenue.

2. Specific requirements relating to the procedures for making payments by electronic funds transfer are outlined in R.S. 47:1519 and LAC 61:I.4910.

3. When electronic payment is required, full payment may be made in immediately investible funds as defined in LAC 61:I.4910 delivered in person or by courier to the department by close of business on the due date.

###### B. Definitions

*Electronic Filing*—submission of a tax return or report through the department's electronic system or an electronic system designated by the department.

*Electronic Payment*—submission of a tax payment using electronic funds transfer (EFT), automated clearinghouse (ACH), or other approved electronic methods.

*Undue Hardship*—circumstances where electronic compliance would cause significant difficulty or expense to the taxpayer.

###### C. Penalty for Failure to Comply

1. Failure to comply with electronic filing requirements will result in the assessment of a penalty of \$100 or five percent of the tax due, whichever is greater, in accordance with R.S. 47:1520(B).

2. Failure to comply with the electronic payment requirements shall result in the payment being considered late and subject to the penalties and interest set forth in R.S. 47:1601 and 1602.

###### D. Waivers and Exemptions

1. The secretary may waive penalties where the taxpayer demonstrates reasonable cause as described in R.S. 47:1519 or 1520 or LAC 61:I.4910.

2. Taxpayers may request an exemption from electronic filing or payment by submitting a written request to the secretary.

3. The secretary may grant an exemption where undue hardship exists, as determined by the secretary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 1519, and 1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Policy and Planning Division, LR 52:

##### **§1502. Returns Required to be Filed Electronically**

A. The following returns and reports are required to be filed electronically:

1. all withholding tax returns and statements.

2. copies of Federal Forms 1099-NEC required by R.S. 47:114.1.

3. annual informational returns of S corporations required by R.S. 47:287.732(B).

4. composite returns filed by S corporations pursuant to R.S. 47:287.732.1.

5. all sales and use tax returns required to be filed with the department, except the following:

a. Louisiana Consumer Use Tax Return.

b. Fairs, Festivals, and Other Special Events Sales Tax Return.

c. Watercraft Sales Tax Payment Certification.

6. returns reporting taxes levied by the Louisiana Stadium and Exposition District and New Orleans Exhibition Hall Authority except the Ernest N. Morial Convention Center Service Contractor Tax Return and Tour Tax Return.

7. automobile rental excise tax returns.

8. all alcoholic beverage tax returns and reports, including returns reporting the parish and municipalities tax on beverages of low alcoholic content.

9. severance tax returns and reports required by R.S. 47:635 and 640.

10. applications for certification of reduced severance tax rates.

11. all telecommunication tax for the deaf returns.

12. all tobacco tax returns and reports.

13. consumable hemp products tax returns.

14. hazardous waste disposal tax returns.

15. transportation and communications utilities tax returns.

16. inspection and supervision fee reports.

17. oilfield site restoration fee returns.

18. any other return or report required by law or regulation to be filed electronically.

B. The electronic filing mandates in this Section shall apply to all returns filed on or after January 1, 2026, for any return or report not previously mandated for electronic filing by LAC 61:I.1515, LAC 61:III.1511, 1513, 1515, 1517, 1519, 1521, 1523, 1525, 1529, 1533, 1535, 1539, 1541, 1543, 1545, 1547, or 1549 prior to their repeal, or Section 1551 of this Chapter adopted by Emergency Rule effective January 1, 2025.

C. Notwithstanding Subsection B of this Section, the electronic filing mandate for the transmittal of withholding tax statements, Form L-3, shall apply to all returns and reports filed on or after January 1, 2027.

AUTHORITY NOTE: Promulgated in accordance with R.S. 13:5077, R.S. 26:354, R.S. 26:492, R.S. 47:551, R.S. 47:1061, R.S. 47:1511, R.S. 47:1519, R.S. 47:1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1504. Payments Required to be Made Electronically**

A. In addition to the requirements for electronic payment set forth in LAC 61:I.4910, the following payments shall be made by electronic funds transfer:

1. withholding tax.

2. composite payments paid by S corporations pursuant to R.S. 47:287.732.1.

3. sales and use taxes, except payment due with the following returns:

a. Louisiana Consumer Use Tax Return.

b. Fairs, Festivals, and Other Special Events Sales Tax Return.

c. Watercraft Sales Tax Payment Certification.

4. taxes imposed by the Louisiana Stadium and Exposition District.

5. taxes imposed by the New Orleans Exhibition Hall Authority, except the Ernest M. Morial Convention Center service contractor and tour taxes.

6. automobile rental excise tax.

7. alcoholic beverage taxes.

8. severance taxes.

9. telecommunication tax for the deaf.

10. tobacco taxes.

11. consumable hemp products taxes.

12. hazardous waste disposal tax.

13. transportation and communication utilities taxes.

14. inspection and supervision fees.

15. oilfield site restoration fees.

B. The electronic payment mandates in this Section shall apply to payments remitted on or after January 1, 2026, for any payment not previously mandated to be made by electronic funds transfer by LAC 61:III.1525, 1530, 1534, 1536, 1540, 1542, 1544, 1546, 1548, or 1550 prior to their repeal, or Section 1553 of this Chapter (adopted by Emergency Rule effective January 1, 2025) or any other Rule under this Title.

AUTHORITY NOTE: Promulgated in accordance with R.S. 13:5077, R.S. 26:492, R.S. 47:551, R.S. 47:1061, R.S. 47:1511, R.S. 47:1519, R.S. 47:1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1511. Lessors of Motor Vehicles—Electronic Filing Requirement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 47:1520, and 48:77.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 34:1929 (September 2008), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1513. Automobile Rental Tax Return, Form R-1329—Electronic Filing Requirement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 47:1520, and 47:551.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 35:1252 (July 2009), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1515. Tax Increment Financing District Sales Tax Returns, Form R-1029—Electronic Filing Requirement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 47:1520, and R.S. 33:9038.34.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 35:1252 (July 2009), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1517. Hotel and Motel Sales Tax Return, Form R-1029DS—Electronic Filing Requirement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 47:1520, and Acts 1966, No. 556; Acts 1991, No. 624; Acts 1992, No. 1099; Acts 1993, No. 640; Acts 1995, No. 1191.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 35:1252 (July 2009), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1519. New Orleans Exhibition Hall Authority Additional Room Occupancy Tax and Food and Beverage Tax Return, Form R-1325—Electronic Filing Requirement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 47:1520, and Acts 1978, No. 305; Acts 1980, No. 99; Acts 1987, No. 390; Acts 2002 1st Ex. Sess., No. 72.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 35:1253 (July 2009), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1521. Louisiana State and Parish and Municipalities Beer Tax Return, Form R-5621—Electronic Filing Requirement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 47:1520, and R.S. 26:492.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 35:1253 (July 2009), repealed by the Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1523. Hotel/Motel Sales Tax Return, Form R-1029H/M—Electronic Filing Requirement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 47:1520, R.S. 47:302.2 et seq., R.S. 47:322.1 et seq. and R.S. 47:332.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 35:1253 (July 2009), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1525. Severance Tax**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 47:1520, 47:635(A)(2), 47:640(A)(2), 47:633(7)(b), 47:633(7)(c)(i)(aa), 47:633(9)(b), and 47:633(9)(c).

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 36:1271 (June 2010), amended LR 37:1614 (June 2011), amended by the Department of Revenue, Tax Policy and Planning Division, LR 50:1858 (December 2024), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1529. Telecommunication Tax for the Deaf—Electronic Filing Requirements**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 1061, and 1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 44:1272 (July 2018), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1530. Telecommunication Tax for the Deaf—Electronic Payment Required**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1519, 47:1511, and 1061.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 44:1640 (September 2018), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1533. Tobacco Tax—Electronic Filing Requirements**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 13:5077, 47:1511, and 47:1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 45:932 (July 2019), amended LR 48:2764 (November 2022), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1534. Tobacco Tax—Electronic Payment Required**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 45:933 (July 2019), amended LR 48:2765 (November 2022), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1535. Industrial Hemp-Derived CBD and Consumable Hemp Products Tax Return—Electronic Filing Requirements**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 45:1810 (December 2019), amended by the Department of Revenue, Policy Services Division, LR 47:1648 (November 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1536. Industrial Hemp-Derived CBD and Consumable Hemp Products Tax—Electronic Payment Required**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511, 47:1519, 47:1520 and 47:1695.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 45:1810 (December 2019), amended by the Department of Revenue, Policy Services Division, LR 47:1649 (November 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1539. Alcoholic Beverage Tax Returns—Electronic Filing Requirements**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 26:354(F), 47:1511, and 47:1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 47:272 (February 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1540. Alcoholic Beverage Taxes—Electronic Payment Required**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 26:354(F), 47:1511, and 47:1519.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 47:272 (February 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1541. Hazardous Waste Disposal Tax Return—Electronic Filing Requirements**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:831, 47:1511, and 47:1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 47:272 (February 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1542. Hazardous Waste Disposal Tax—Electronic Payment Required**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:831, 47:1511, and 47:1519.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 47:273 (February 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1543. Transportation and Communication Utilities Tax Return—Electronic Filing Requirements**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 47:273 (February 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1544. Transportation and Communication Utilities  
Tax—Electronic Payment Required**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 47:273 (February 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1545. Report of Inspection and Supervision Fee—  
Electronic Filing Requirements**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 47:273 (February 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1546. Inspection and Supervision Fee - Electronic  
Payment Required**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 47:274 (February 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1547. Consolidated Filers—Electronic Filing  
Requirements**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, LR 47:1648 (November 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1548. Consolidated Filers - Electronic Payment  
Required**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, LR 47:1648 (November 2021), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1549. Aviation Fuel Dealers—Electronic Filing  
Requirements**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 50:1293 (September 2024), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**§1550. Aviation Fuel Dealers—Electronic Payment  
Required**

Repealed.

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

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 50:1293 (September 2024), repealed by Department of Revenue, Tax Policy and Planning Division, LR 52:

**Family Impact Statement**

The proposed adoption of this Rule has no known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed Rule has no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform this function.

**Poverty Impact Statement**

The proposed Rule has no known impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

The proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

**Provider Impact Statement**

The proposed Rule has no known or foreseeable effect on:

1. The staffing levels requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the cost to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

**Public Comments**

All interested persons may submit written data, views, arguments or comments regarding this proposed Rule to Brandea Averett, Attorney, Tax Policy and Planning Division, Office of Legal Affairs, P.O. Box 44098, Baton Rouge, LA 70804-4098. Written comments will be accepted until 4:30 p.m., November 26, 2025.

**Public Hearing**

Interested persons may submit a written request for a public hearing no later than Monday, November 10, 2025, at 4:30 p.m. Requests may be submitted either by mail, addressed to Brandea Averett, Tax Policy and Planning Division, Office of Legal Affairs, P.O. Box 44098, Baton Rouge, LA 70804-4098 or via email to Brandea.Averett@la.gov. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, a public hearing will be held on December 1, 2025, at 8 a.m. in the LaBelle Room, located on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, La 70802, for all interested persons to attend and submit oral or written comments. To confirm whether or not the public hearing will be held, please visit the department's website at <https://revenue.louisiana.gov/tax-policy/rules-regulations>, and under "Types" select "Nonemergency Rulemaking". In accordance with the Americans with Disabilities Act, should individuals with a disability need an accommodation to participate, contact Brandea Averett at the address given above in the Public Comments section, by email at [LDRadarequests@la.gov](mailto:LDRadarequests@la.gov) or by phone at (225) 219-2780.

Richard Nelson  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Mandatory Electronic Filing and  
Payment Requirements**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO  
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule is anticipated to decrease \$550,000 SGR in FY 26 and \$1.1 M SGR annually beginning in FY 27 in the Department of Revenue (LDR). These cost savings reduce department costs related to scanning, validation, storage, and destruction of paper returns for sales and withholding taxes processed, which will now be mandated under the proposed rule to be filed and/or paid electronically.

The Secretary of LDR has established rules requiring electronic filing or payment of various taxes and fees, typically for specific tax types. This proposal seeks to consolidate these rules for easier identification of which returns, reports, and payments must be filed electronically. The new rules would extend electronic filing and payment requirements to all sales tax returns, all withholding tax returns and statements, the annual information return for certain service recipients, and all automobile rental taxes. Currently, these requirements apply only under certain circumstances. The proposed rule would encompass all returns for the specified tax types, unless explicitly exempted. Currently, returns and payments for the specified tax types can be made electronically.

Implementation of this proposed rule should not result in any additional costs for state or local governments.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE  
OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule may increase state general fund (SGF) and self-generated revenue (SGR) collections from penalties by an indeterminable amount beginning in FY 26 (see note below). A modest and temporary increase in revenue from penalties may occur as the proposed rule is implemented, although LDR cannot predict non-compliant behavior. For returns that are currently required to be filed electronically, LDR has collected the following amounts in non-E-filing penalties: \$48,900 in FY 20, \$23,500 in FY 21, \$13,900 in FY 22, \$113,100 in FY 23, and \$188,000 in FY 24. LDR has collected the following amounts in non-E-payment penalties: \$395,800 in FY 20, \$438,500 in FY 21, \$390,900 in FY 22, \$0 in FY 23, and \$0 in FY 24. However, any actual collections in penalties are dependent upon non-compliant behavior associated with the filing types included in the proposed rules. Therefore, any increase in revenue is indeterminable.

Note: Pursuant to Act 348 of the 2020 Regular Session, penalties and fees except compensatory fees levied by LDR will accrue to the state general fund, rather than to self-generated revenue for the department.

Local governmental units are not affected.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO  
DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR  
NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule seeks to simplify the electronic filing and payment requirements by consolidating various rules related to these processes for specific taxes managed and collected by LDR. This consolidation will make it easier for taxpayers to determine which returns, reports, and payments need to be filed electronically.

The proposed rule also extends the electronic filing and payment requirements to include all sales tax returns, all withholding tax returns and statements, and the annual

information return required to be filed by certain service recipients, and to require electronic payment of all automobile rental taxes. This proposed rule requires taxpayers to file their returns and reports electronically for all returns filed for the specified tax types, unless specifically excepted, and remit the tax and payment by electronic funds transfer on or after January 1, 2026.

Electronic filing of the tax returns will be available directly through LDR's LaTAP portal, which will allow taxpayers to file for free. LDR does not have the information necessary to determine the additional costs to comply with the proposed rules, but these costs are expected to be minimal as online access and activity have largely become a business standard. To the extent non-compliance penalties are collected, affected taxpayers will incur penalty costs. LDR cannot estimate the additional penalty amount as it is dependent upon taxpayer violations and liabilities.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT  
(Summary)**

There is no anticipated impact on competition or employment.

Richard Nelson  
Secretary  
2510#057

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

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

**Sales Tax on Vending Machine Sales  
(LAC 61.I.4301)**

Under the authority of R.S. 47:1511, and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, gives notice that rulemaking procedures have been initiated to amend LAC 61.I.4301-Dealer relative to purchases and sales by vending machine operators.

Act 11 of the 2024 Third Extraordinary Session of the Legislature repealed a provision that classified sales of tangible personal property to vending machine operators as sales at retail and the operator's subsequent sale through the vending machine exempt from tax. As a result of this repeal, sales of tangible personal property from vending machines qualify as sales at retail and the operator is required to collect and remit sales tax on those sales. The purpose of this Rule is to provide guidance to vending machine operators on how to calculate and account for the sales tax due on sales from its vending machines.

**Title 61**

**REVENUE AND TAXATION**

**Part I. Administrative and Miscellaneous Provisions**

**Chapter 43. Sales and Use Tax**

**§4301. Uniform State and Local Sales Tax Definitions**

A. - C. ...

\*\*\*

*Dealer*—

a. - g. ...

h. A vending machine operator is a dealer and must report his sales of tangible personal property through coin-operated vending machines as retail sales.

i. Gross taxable sales from coin-operated vending machines shall equal the total gross receipts from sales divided by one plus the total combined state and local tax rate.

ii. The vending machine operator shall display a notice on each vending machine that the advertised price includes applicable state and local sales taxes.

i. ...

\*\*\*

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 47:301 and R.S. 47:1511.

**HISTORICAL NOTE:** Promulgated by the Department of Revenue and Taxation, Sales Tax Section, LR 13:107 (February 1987), amended by the Department of Revenue and Taxation, Sales Tax Division, LR 21:957 (September 1995), LR 22:855 (September 1996), amended by the Department of Revenue, Policy Services Division, LR 27:1703 (October 2001), LR 28:348 (February 2002), LR 28:1488 (June 2002), LR 28:2554, 2556 (December 2002), LR 29:186 (February 2003), LR 30:1306 (June 2004), LR 30:2870 (December 2004), LR 31:697 (March 2005), LR 32:111 (January 2006), LR 32:865 (May 2006), LR 44:2022 (November 2018), amended by Department of Revenue, Tax Policy and Planning Division, LR 52:

#### **Family Impact Statement**

The proposed Rule has no known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability, and autonomy. Specifically, the implementation of this proposed Rule has no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
4. the behavior and personal responsibility of children.
5. the ability of the family or a local government to perform this function.

#### **Poverty Impact Statement**

The proposed Rule has no known impact on poverty as described in R.S. 49:973.

#### **Small Business Analysis**

The proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

#### **Provider Impact Statement**

The proposed Rule has no known or foreseeable effect on:

1. the staffing levels requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the cost to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

#### **Public Comments**

All interested persons may submit written data, views, arguments or comments regarding this proposed rule to Brandea Averett, Attorney, Tax Policy and Planning Division, Office of Legal Affairs, P.O. Box 44098, Baton Rouge, LA 70804-4098. Written comments will be accepted until 4:30 p.m., November 26, 2025.

#### **Public Hearing**

Interested persons may submit a written request for a public hearing no later than Monday, November 10, 2025, at 4:30 p.m. Requests may be submitted either by mail, addressed to Brandea Averett, Tax Policy and Planning Division, Office of Legal Affairs, P.O. Box 44098, Baton

Rouge, LA 70804-4098 or via email to Brandea.Averett@la.gov. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, a public hearing will be held on December 1, 2025, at 9 a.m. in the LaBelle Room, located on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, La 70802, for all interested persons to attend and submit oral or written comments. To confirm whether or not the public hearing will be held, please visit the department's website at <https://revenue.louisiana.gov/tax-policy/rules-regulations>, and under "Types" select "Nonemergency Rulemaking". In accordance with the Americans with Disabilities Act, should individuals with a disability need an accommodation to participate, contact Brandea Averett at the address given above in the Public Comments section, by email at [LDRadarequests@la.gov](mailto:LDRadarequests@la.gov) or by phone at (225) 219-2780.

Richard Nelson  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Sales Tax on Vending Machine Sales**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

Implementation of this proposed amendment is not anticipated to result in any additional costs for state or local governments.

Act 11 of the 2024 Third Extraordinary Session repealed a provision that classified tangible personal property sold in vending machines as exempt from tax, as provided for in La. R.S. 47:301(10)(b). The proposed amendment provides guidance to vending machine operators on how to calculate and account for the sales tax due on sales of tangible personal property through coin-operated vending machines.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed amendment is estimated to increase SGF revenue by \$1.3 M annually, as state sales tax will be paid on transactions at the vending machine, rather than when vending machine operators purchase tangible personal property at retail. Based on historical sales tax data from FY 22 to FY 24, the average annual state revenue loss reported on vending machine transactions was approximately \$2.3 M under a 4.45% tax rate, implying \$51.7 M in total vending machine sales. Applying the current 5% state sales tax rate results in potential annual collections of \$2.6 M on vending machine transactions. Before Act 11 of the 3<sup>rd</sup> ES, state sales tax was due on purchases vending machine operators make from a wholesaler upon purchasing goods for resale. The Legislative Fiscal Office (LFO), for this fiscal economic impact analysis, assumes a markup of 100% from the cost of goods sold to the price at the vending machines to arrive at a pre-markup cost of goods of \$25.9 M. This markup assumption is considered conservative, as actual markups may exceed 100%. Applying a 5% sales tax rate on those transactions yields an estimated collection of approximately \$1.3 M on retail transactions. To gather the impact from the proposed amendment, subtract the \$1.3 M collection estimate from \$2.6 M to yield a potential revenue impact estimate of \$1.3 M. This difference represents the increase in tax collections from moving state sales tax paid on purchases from wholesalers to the transactions taking place at vending machines. It is unclear if the sales tax return data captured all excluded sales, so this may be considered a conservative estimate.

Local governmental units are not affected by the proposed amendment, because local sales tax is already collected on the vending machine transaction, not the wholesale transaction. The proposed amendment will make the state and local sales tax uniform with respect to when sales tax is applied to vending machine transactions.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Owners of coin-operated vending machines in Louisiana will be directly impacted by the proposed amendment; however, the expected effect will be minimal. Vending machine operators are required to display a notice on each machine indicating that the advertised price includes all applicable state and local sales taxes.

The proposed rule is estimated to increase receipts on purchases made from vending machines by \$1.3 M annually, as state sales tax will be paid on transactions at the vending machine, rather than when vending machine operators purchase tangible personal property at wholesale.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Richard Nelson  
Secretary  
2510#052

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

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

**Tax Credit Documentation Requirements  
(LAC 61:I.1903)**

Editor's Note: This Notice of Intent is being reprinted in order to change the reference to the "School Readiness Tax Credits", as provided in LAC 61:I.1903, to the "Workforce Child Care Tax Credits", as required by Act 454 of the 2025 Regular Session of the Louisiana Legislature. The original Notice of Intent can be viewed in its entirety on pages 1517-1519 of the September 20, 2025 *Louisiana Register*.

Under the authority of R.S. 47:1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, proposes to amend LAC 61:I.1902, 1903, and 1905.

R.S. 47:1624(F) authorizes the suspension of the accrual of interest during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide information or documentation required by statute or regulation. The purpose of these amendments is to set forth the information and documentation required to be provided by a taxpayer claiming the inventory tax credit, certain school readiness tax credits, and the credit for property taxes paid by certain telephone companies.

**Title 61**

**REVENUE AND TAXATION**

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

**Chapter 19. Miscellaneous Tax Exemptions, Credits  
and Deductions**

**§1903. Administration of the Workforce Child Care Tax  
Credits**

A. - A.3. ...

4. The accrual of interest shall be suspended during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide any of the information or documentation required herein, as provided by R.S. 47:1624(F).

B. - B.1. ...

2. The provider shall complete the provider portion of the credit certificate and shall submit the certificate to each taxpayer who had a child at the facility during the calendar year no later than January 31 of the succeeding year. The provider portion of the credit certificate will include, but not be limited to, the following information: the child care facility name, the child care facility star rating, the child care facility Louisiana tax identification number, the child care facility license number, the name of the child attending the facility and the issue date and effective year. The provider shall submit to the Department of Revenue a list of all taxpayers to whom a certificate was issued.

3. ...

4. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine the child care provider's quality rating.

C. - C.1.d. ...

2. The Department of Education shall provide documentation to each qualifying provider of the average monthly number of children participating in the Child Care Assistance Program or in the Foster Care Program. If the provider has multiple sites, the Department of Education shall provide this information for each site. The certificate shall be delivered or mailed to all qualifying child care providers by March 1 of the year following the year the credit is earned. The certificate shall include, but not be limited to, the following information: the child care facility name, the child care facility star rating, the child care facility license number and the issue date and effective year.

3. Child care providers shall submit the credit certificate issued by the Department of Education with their Louisiana income tax return claiming the credit.

4. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine and/or verify the provider's quality rating.

D. Credit for Child Care Directors and Staff

1. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine and/or verify the director and staff levels for earning the credit

2. In order to claim this credit, the Department of Education, or its representative, must provide child care facility directors and staff members with Form R-10615, Louisiana School Readiness Tax Credit For Child Care Director and Staff Member, no later than January 31 stating which level of qualification the employee meets according to the criteria established by the Department of Education. The taxpayer must submit Form R-10615 with their Louisiana income tax return.

3. Each child care facility director and staff member will also have to verify that he/she has worked at the same child care facility for at least six months in the calendar year, unless otherwise approved by the Department of Education.

4. Child care director and staff levels will have such meaning as provided by regulation issued by the Department of Education.

E. - E.1. ...

a. In order for a business to claim this credit, the business must support the amount of qualifying expenses paid or made by providing the Department of Revenue with copies of cancelled checks, receipts, and other documentation containing the following information: the name and Louisiana revenue tax identification number of the child care facility to or for whom the eligible expenses were paid or made, the amount and nature of qualifying expenses at each child care facility as defined in R.S. 47:6102 and the child care facility's quality rating.

b. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine and/or verify the facility's quality rating

2. - 2.b....

c. The Department of Education shall provide to the Department of Revenue a list of qualifying child care resource or referral agencies for each calendar year.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 36:474 , R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6103.

**HISTORICAL NOTE:** Promulgated by the Department of Revenue and the Department of Social Services, LR 33:2667 (December 2007), amended by the Department of Revenue, Tax Policy and Planning Division, LR 52:

#### **Family Impact Statement**

The proposed amendments should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed amendment will have no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform this function.

#### **Poverty Impact Statement**

The proposed amendments will have no known impact on poverty as described in R.S. 49:973.

#### **Small Business Analysis**

It is anticipated that the proposed amendments should not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency,

consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting these proposed amendments to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

#### **Provider Impact Statement**

The proposed amendments will have no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the cost to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

#### **Public Comments**

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Morgan Newton, Attorney, Tax Policy and Planning Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than 4:30 p.m., October 27, 2025.

#### **Public Hearing**

Interested persons may submit a written request for a public hearing no later than October 10, 2025, at 4:30 p.m. Requests may be submitted either by mail, addressed to Morgan Newton, Attorney, Tax Policy and Planning Division, Office of Legal Affairs, P.O. Box 44098, Baton Rouge, LA 70804-4098, or via email to [morgan.newton@la.gov](mailto:morgan.newton@la.gov) and reference Louisiana Fortified Roof Tax Credit Comments. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, a public hearing will be held on October 28, 2025, at 10:30 a.m. in the River Room, located on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, La 70802, for all interested persons to attend and submit oral or written comments. To confirm whether or not the public hearing will be held, please visit the department's website at: <https://revenue.louisiana.gov/tax-policy/rules-regulations> and under "Types" select "Nonemergency Rulemaking." In accordance with the Americans with Disabilities Act, should individuals with a disability need an accommodation in order to participate, contact Morgan Newton at the address given above in the Public Comments section, by email at [LDRadarequests@la.gov](mailto:LDRadarequests@la.gov) or by phone at (225) 219-2780.

Richard Nelson  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Tax Credit Documentation Requirements**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule sets forth the information and documentation required to be provided when claiming the inventory tax credit, certain school readiness tax credits, and the telephone property credit. The proposed rule also allows for the suspension of interest as provided in R.S. 47:1624(F). R.S. 47:1624(F) authorizes the suspension of accrual of interest due



to a delay in the issuance of a refund that is attributable to the taxpayer's failure to provide information or documentation required by statute or regulation.

Implementation of this proposal will not result in material additional costs or cost savings to the Department of Revenue (LDR).

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

To the extent the additional information required for the credits and the suspension of interest provisions reduce refund interest paid by the state to taxpayers, the proposed rule will increase state revenue.

According to R.S. 47:1624(A)(1)(a) interest shall be allowed from 90 days after the later of the due date of the return, the filing date of the return or claim for refund on which the overpayment is claimed, or the date the tax was paid. LDR is unable to provide an estimate as to how much interest has accumulated due to missing documentation for these particular credits.

With no local income tax, there is no impact to local governmental revenue as a result of this rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Taxpayers claiming the inventory tax credit, certain school readiness tax credits, or the telephone property tax credit will be affected by the proposed rule. Taxpayers will be required to submit new documentation when filing the return. However, the additional costs for completion and submission of the required information to claim the tax credit on the return from this proposed rule are expected to be minor.

To the extent taxpayers previously received interest in certain circumstances, the proposed rule will decrease taxpayer income from the interest suspension when proper documentation is not provided.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Richard Nelson  
Secretary  
2510#037

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

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

**Work-Based Learning Tax Credit-Eligible Apprentice  
(LAC 61:I.1909)**

Under the authority of R.S. 47:1511 and 6003 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division proposes to amend LAC 61:I.1909 relative to the Work-Based Learning Tax Credit.

Revised Statute 47:6003 creates the Work-Based Learning Tax Credit by combining the former Apprenticeship Tax Credit (R.S. 47:6033) and the Youth Jobs Tax Credit (R.S. 47:6028), and by adding eligibility for interns. The credit is nonrefundable and applies to the hiring of apprentices, interns, or youth workers, as defined therein.

The purpose of these amendments is to implement Act 376 of the 2025 Legislative Session and clarify what

documentation is required to claim the credit for hiring an eligible apprentice. To qualify, a business must show either: (1) a written apprentice agreement under an apprenticeship program in R.S. 23:281; or (2) participation in a training program accredited by the National Center for Construction Education and Research.

**Title 61**

**REVENUE AND TAXATION**

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

**Chapter 19. Miscellaneous Tax Exemptions, Credits  
and Deductions**

**§1909. Work-Based Learning Tax Credit-Eligible  
Apprentice**

**A. General Description**

1. For tax periods beginning after December 31, 2025, Revised Statute 47:6003 authorizes businesses to earn a non-refundable work-based learning tax credit against Louisiana income tax equal to \$2.50 for each hour of employment for each eligible apprentice, intern, or youth worker, not to exceed 1,000 hours for each eligible apprentice, intern or youth worker.

**B. Documentation Requirements-Eligible Apprentice**

1. Taxpayers must attach to the applicable Louisiana income tax return the completed tax credit certification form issued by the department, as well as all other required documentation. Additionally, supporting documentation should be maintained or submitted to the department, as directed in Paragraph 2. of this Subsection.

2. Unless otherwise provided, eligible employers seeking to qualify for the credit pursuant to the hiring of an eligible apprentice are responsible for maintaining or submitting all required information, as follows:

a. For taxpayers seeking to qualify pursuant to a written apprentice agreement:

i. report the number of hours worked during the taxable period for each eligible apprentice; and

ii. maintain a copy of the contract executed between the employer and the eligible apprentice and provide it upon request from the department.

b. For taxpayers seeking to qualify pursuant to an eligible apprentice enrolled in a training program accredited by the National Center for Construction Education and Research (NCCER);

i. report the number of hours each eligible apprentice worked during the taxable period for each eligible apprentice; and

ii maintain a copy of the NCCER transcript for each eligible apprentice, which includes:

(a) the level of training attained by the student enrolled in the training program; and

(b) the number of hours worked during the taxable period by the student enrolled in the training program.

c. Any other information required by the department.

3. No later than January 31 of each calendar year, the Louisiana Workforce Commission shall provide to the department a list of all employers or association of employers that have registered and have been approved to participate in an apprenticeship program as provided for in R.S. 23:381.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6003.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 36:1791 (August 2010); amended by the Department of Revenue, Policy Services Division, LR 49:73 (January 2023); amended by the Department of Revenue, Tax Policy and Planning Division, LR 52:

#### **Family Impact Statement**

The proposed amendments should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed Rule will have no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform this function.

#### **Poverty Impact Statement**

The proposed amendments will have no impact on poverty as described in R.S. 49:973.

#### **Small Business Analysis**

The proposed amendments are not anticipated to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting these proposed amendments to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

#### **Provider Impact Statement**

The proposed amendments will have no known or foreseeable effect on:

1. the staffing levels requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the cost to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

#### **Public Comments**

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Morgan Newton, Attorney, Tax Policy and Planning Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than 4:30 p.m., November 24, 2025.

#### **Public Hearing**

Interested persons may submit a written request for a public hearing no later than November 10, 2025, at 4:30 p.m. Requests may be submitted either by mail, addressed to Morgan Newton, Attorney, Tax Policy and Planning Division, Office of Legal Affairs, P.O. Box 44098, Baton Rouge, LA 70804-4098, or via email to [morgan.newton@la.gov](mailto:morgan.newton@la.gov) and reference Work-Based Learning Tax Credit Comments. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, a public hearing will be held on November 25, 2025, at 10:30 a.m. in the River Room, located on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, La 70802, for all interested

persons to attend and submit oral or written comments. To confirm whether or not the public hearing will be held, please visit the department's website at: <https://revenue.louisiana.gov/tax-policy/rules-regulations> and under "Types" select "Nonemergency Rulemaking." In accordance with the Americans with Disabilities Act, should individuals with a disability need an accommodation to participate, contact Morgan Newton at the address given above in the Public Comments section, by email at [LDRadarequests@la.gov](mailto:LDRadarequests@la.gov) or by phone at (225) 219-2780.

Richard Nelson  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Work-Based Learning Tax Credit- Eligible Apprentice**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rules are anticipated to increase \$178,317 SGR expenditures and one (1) T.O. position in the Department of Revenue (LDR) in FY 27. One-time costs of \$85,000 are expected in FY 27 related to computer system development and return modifications. One Revenue Tax Specialist I with a salary and related benefits of \$93,317 will be necessary beginning in FY 27 to review and process applications for taxpayers seeking to claim the proposed credit LDR reports the ability to absorb this amount within its current budget.

The purpose of this proposed rule is to implement Act 376 of the 2025 Regular Session, which enacted R.S. 47:6003, which creates the Work-Based Learning Tax Credit by combining the former Apprenticeship Tax Credit (R.S. 47:6033) and the Youth Jobs Tax Credit (R.S. 47:6028) with expanded eligibility and a larger credit amount. The proposed rule clarifies what documentation is required to claim the credit for hiring eligible apprentices.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rules are estimated to decrease SGF revenue by \$600,000 in FY 27 and \$1.14 M each year thereafter. Act 376 of the 2025 Regular Session combined the Youth Jobs Tax credit and the Apprenticeship Tax Credit under expanded eligibility and a larger credit amount. The existing two credit programs were set to sunset in tax years 2025 and 2028, respectively. The new 5-year credit program is nonrefundable, worth \$2.50 per hour up to \$2,500 per hired apprentice, intern, or eligible youth per year, and capped at \$1M in claims for tax year 2026.

The Legislative Fiscal Office (LFO) estimates the new credit is likely to reach the \$1 M cap in FY 27. In subsequent years, the cap may increase by \$1 M (until \$7.5 M if credits claimed are 80% of the previous year's cap, which may increase exposure to the state by an additional \$1 M each fiscal year, should programmatic activity pick up. Given that the Tax Exemption Budget (TEB) data indicates revenue loss of \$400,000 associated with the two existing credits, the bill is anticipated to decrease SGF revenue by \$600,000 in FY 27 and \$1.14 M each year thereafter. Factors that contribute to potential revenue loss include an expansion in the definition of apprentice (\$36,500 estimated revenue loss), doubling the hourly tax credit from \$1.25 per hour to \$2.50 per hour (\$400,000 estimated revenue loss), and expansion of the credit to interns, defined as a student learner participating in a work-based learning program authorized and regulated by the Dept. of Education (\$700,000 estimated revenue loss).

With no local income tax, there are no anticipated effects on revenue collections of local governments.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule will reduce the income tax liability of qualifying taxpayers in the form of a nonrefundable tax credit. The amount of the credit for each eligible apprentice, intern, or youth worker employed for a minimum of one hundred hours during the taxable period shall equal \$2.50 per hour of employment or \$2,500, whichever is less per taxable period. To claim the tax credit, taxpayers may be required to attach a copy of supporting documentation to support eligibility for the credit. Any additional costs for completion and submission of the required paperwork for this proposed rule are expected to be minimal.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule incentivizes the employment of eligible disadvantaged youth, apprentices, and interns, but a reasonable determination of the effect on competition and employment cannot be made.

Richard Nelson  
Secretary  
2510#044

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Transportation and Development  
Office of Multimodal Commerce**

**Speed Restrictions for Railroad Traffic  
(LAC 70:IX.Chapter 11)**

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., and through the authority granted in R.S. 36:504, that the Department of Transportation and Development proposes to amend LAC 70:IX.11, Intermodal Transportation Part IX, which establishes speed restrictions for railroad traffic within specified areas of corporate limits of a municipality and directs said municipality to notify the commissioner, Office of Multimodal Commerce situated within the Department of Transportation and Development (DOTD). The proposed amendments simplify these rules to comply with Plain Writing Act of 2010 (Public Law 111-274) for public understanding, to clarify and to remove unnecessary and obsolete regulations.

**Title 70**

**TRANSPORTATION AND DEVELOPMENT**

**Part IX. Multimodal Transportation**

**Chapter 11. Speed Restrictions for Railroad Traffic**

**§1101. General Procedure for Municipality Request**

A. In accordance with the provisions of R.S. 48:389, the Department of Transportation and Development has set forth the following procedures for compliance therewith.

B. In order to establish speed restrictions for railroad traffic within the specified areas of corporate limits of a municipality, the governing body of said municipality shall adopt a resolution and forward it to the Commissioner, Office of Multimodal Commerce, Department of Transportation and Development, Box 94245, Baton Rouge, LA 70804. This written request in the form of a resolution shall contain the following:

1. name of the railroad carrier or company to be affected, and location of the railroad track to be affected, giving exact locations where the restricted speed limit(s) are requested;

2. documentation and explanation of the unique characteristics of the essentially local safety hazard that is sought to be eliminated or reduced, including documentation of all accidents or incidents;

3. regulatory and warning devices in existence and location of each;

4. applicable automobile speed limits at any affected railroad crossing(s).

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:389.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of the Secretary, Public Transportation, LR 18:761 (July 1992), amended by the Department of Transportation and Development, Intermodal Transportation Division, LR 33:530 (March 2007), amended by the Department of Transportation and Development, Office of Multimodal Commerce, LR 52:

**§1103. Notification of Railroad**

A. Upon receipt of the request by the municipality, the director of freight and passenger rail shall contact the affected railroad(s) through the local railroad office. If unable to locate a local office, the Director shall seek the assistance of DOTD General Counsel and appropriate legislative representatives. A copy of the request of the municipality shall be forwarded to the affected railroad.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:389.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of the Secretary, Public Transportation, LR 18:761 (July 1992), amended by the Department of Transportation and Development, Office of Multimodal Commerce, LR 52:

**§1105. Investigation**

A. Prior to the evidentiary hearing referred to below, the department, through its appropriate district office, shall conduct an investigation of the particular site regarding the problem within the municipality and shall furnish a written report containing its findings to the director of freight and passenger rail.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:389.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of the Secretary, Public Transportation, LR 18:761 (July 1992), amended by the Department of Transportation and Development, Office of Multimodal Commerce, LR 52:

**§1107. Notification**

A. Prior to the evidentiary hearing referred to below, the department shall publish in the "Potpourri" Section of the *Louisiana Register* notice of the date, time and place of the evidentiary hearing. Copies of the notice shall also be sent to the affected parties and other parties who have expressed an interest in the railroad speed limit being considered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:389.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of the Secretary, Public Transportation, LR 18:762 (July 1992), amended by the Department of Transportation and Development, Office of Multimodal Commerce, LR 52:

### **§1109. Location of Public Hearing**

A. The public hearing to be conducted by the Department of Transportation and Development shall take place at the DOTD Headquarters Building, 1201 Capitol Access Road, Baton Rouge, LA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:389.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of the Secretary, Public Transportation, LR 18:762 (July 1992), amended by the Department of Transportation and Development, Office of Multimodal Commerce, LR 52:

### **§1111. Public Hearing**

A. committee shall be formed within the department to conduct the public hearing, accept evidence, and render written reasons for its findings. This procedure shall be conducted in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 48:389. Said committee shall be composed of the director of freight and passenger rail and at least three additional representatives of the department appointed by the secretary. Within thirty days of the public hearing the committee shall issue a report containing its recommendations. If the committee recommends the establishment of speed restrictions the report shall also include findings that such restrictions:

1. is being imposed at a location which contains a unique and distinctive essentially local situation which is not statewide in character.
2. will eliminate or reduce an essentially local safety hazard.
3. is not incompatible with any federal law, rule, regulation, order, or standard.
4. will not create an undue burden on interstate commerce.
5. will not create a safety hazard which is different from the essentially local safety hazard which the speed restriction is designed to reduce or eliminate.

B. If the department determines there is a need for a speed restriction it shall promulgate rules in accordance with the Administrative Procedure Act setting forth the nature of the restriction and the duration of the restriction, which duration shall not exceed the time required to eliminate or reduce the unique local safety hazard

C. If the department determines there is no need for a speed restriction it shall provide notice to the affected parties of its determination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:389.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of the Secretary, Public Transportation, LR 18:762 (July 1992), amended by the Department of Transportation and Development, Intermodal Transportation Division, LR 33:530 (March 2007), amended by the Department of Transportation and Development, Office of Multimodal Commerce, LR 52:

### **§1113. Appeal**

A. An appeal may be made of the decision of the hearing committee by the affected party(ies) as provided in the Administrative Procedure Act. Said appeal may be made to the appropriate state district court.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:389.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of the Secretary, Public

Transportation, LR 18:762 (July 1992), amended by the Department of Transportation and Development, Office of Multimodal Commerce, LR 52:

### **§1115. Regulation Order**

A. Following adoption of the administrative rule establishing a railroad speed limit, a regulatory order shall also be filed within the Department of Transportation and Development and shall be filed in the Office of the Clerk of Court in the parish affected.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:389.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of the Secretary, Public Transportation, LR 18:762 (July 1992), amended by the Department of Transportation and Development, Office of Multimodal Commerce, LR 52:

### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature the impact of this proposed amendment on the family has been considered. The proposed amendments are not anticipated to have any foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability, and autonomy. Specifically, the implementation of the proposed amendments will have no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or local government to perform his function.

### **Poverty Impact Statement**

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that these proposed rule changes will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Specifically:

1. The amendment of these rules will have no known or foreseeable adverse effect on household income, assets, and financial security.
2. The amendment of these rules will have no known or foreseeable adverse effect on early childhood development and preschool through postsecondary education development.
3. The amendment of these rules will have no known or foreseeable adverse effect on employment and workforce development.
4. The amendment of these rules will have no known or foreseeable effect on taxes and tax credits.
5. The amendment of these rules will have no known or foreseeable effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

### **Small Business Analysis**

The impact of the amendment of these rules on small businesses, as defined in the Regulatory Flexibility Act, has been considered. The proposed amendment of these rules is not expected to have a significant adverse impact on small businesses. The department, consistent with health, safety, environmental, and economic welfare factors, has

considered and, where possible, utilized regulatory methods in amending these rules that will accomplish the objectives of the proposed statutes while minimizing the adverse impact of the rules on small businesses.

#### **Provider Impact Statement**

The amendment of these rules is not anticipated to have any known or foreseeable impact on a provider as defined by House Concurrent Resolution No. 170 of the 2014 Regular Session of the Louisiana State Legislature.

Specifically:

1. The amendment of these rules does not have any known or foreseeable impact on the staffing level requirements or qualifications required to provide the same level of service.

2. The amendment of these rules does not have any known or foreseeable impact on the total direct and indirect effect on the cost to a provider to provide the same levels of service.

3. The amendment of these rules does not have any known or foreseeable impact on the overall effect on the ability of a provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments to Andrew Barry, General Counsel, Department of Transportation and Development, Office of General Counsel, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245. Mr. Barry is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on November 10, 2025.

#### **Public Hearing**

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of General Counsel, ATTN: Andrew Barry, General Counsel, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245; however, such request must be received no later than 4:30 p.m. on November 10, 2025. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, the Department of Transportation and Development will conduct a public hearing at 11:30 a.m. on November 25, 2025 in the Auditorium of the Department of Transportation and Development Headquarters, which is located at 1201 Capitol Access Road, Baton Rouge, LA. To confirm whether a public hearing will be held, interested persons should first call Andrew Barry at (225) 242-4665 after November 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Glenn Ledet, Jr.  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Speed Restrictions for Railroad Traffic**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change is not anticipated to have any costs or savings to state or local government units.

The proposed rule change simplifies and clarifies existing rules related to railroad traffic, including removing unnecessary and obsolete regulations, updating language to current practices, and updating positions listed to their current titles.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to have any effect on revenue collections.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change is not anticipated to impact individuals, small businesses, or non-governmental groups.

#### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change is not anticipated to have an effect on competition or employment.

Glenn Ledet, Jr.  
Secretary  
2510#007

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

### **NOTICE OF INTENT**

#### **Department of Transportation and Development Office of Project Delivery**

Louisiana Transportation Research Center (LTRC)  
(LAC 70:XXVII.101 and 103)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., and through the authority granted in R.S. 36:504, that the Department of Transportation and Development proposes to amend LAC 70:XXVII.1, Louisiana Transportation Research Center Part XXVII, which regulates all fees collected for the Transportation Training and Education Fund and deposited in or disbursed from the fund. The proposed amendments simplify these rules to comply with Plain Writing Act of 2010 (Public Law 111-274) for public understanding, to clarify, and to remove unnecessary and obsolete regulations.

#### **Title 70**

#### **TRANSPORTATION AND DEVELOPMENT**

#### **Part XXVII. Louisiana Transportation Research Center (LTRC)**

#### **Chapter 1. LTRC Transportation Training and Education Fund**

#### **§101. General Provisions**

A. All fees collected shall be deposited in the fund or disbursed from the fund as provided in R.S. 48:105.1 and in the following rules.

B. All monies deposited in the fund in compliance with the statute shall be used to defray the expenses associated with workforce development activities of the Louisiana Transportation Research Center (LTRC) and LTRC's Transportation and Training Education Center (TTEC).

C. Allowable expenses include (but are not limited to):

1. course development and delivery costs for courses organized and managed by LTRC;

2. direct workforce development training costs, such as reimbursement for events or courses organized and managed by LTRC;

3. maintenance and upkeep of the LTRC and TTEC buildings not funded by Louisiana State University;

4. maintenance, upkeep, upgrade, or replacement of the audio visual equipment, to include all software and hardware used by LTRC for workforce development activities, such as classes, conferences, meetings, etc.;

5. purchase, maintenance, upkeep, upgrade, or replacement of computer equipment, including peripherals, used in the development and dissemination of training materials used for workforce development;

6. supplies and other items purchased in direct support of workforce development activities.

D. Prohibited expenses include:

1. purchase of supplies not directly related to workforce development activities;

2. any and all travel expenses;

3. individual membership dues to professional organizations;

4. conference/meeting/training registration fees;

5. any form of personal use, such as cash advances, gifts, entertainment-related expenses;

6. alcohol.

E. Ethics

1. Agents authorized to collect and disburse funds from the account must comply with the regulations relative to ethical conduct under the Code of Governmental Ethics, Chapter 15 of Title 42 of the Louisiana Revised Statutes.

AUTHORITY NOTE: Promulgated by the Louisiana Department of Transportation and Development, Louisiana Transportation Research Center, pursuant to R.S. 48:105.1.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Transportation and Development, Louisiana Transportation Research Center, LR 37:254 (January 2011), amended LR 46:704 (May 2020), amended by Department of Transportation and Development, Office of Project Delivery, LR 52:

### **§103. Calculation of Fees**

A. Governmental attendees shall be charged the actual cost of the program attended.

B. Non-governmental attendees may be charged the actual cost of the program plus up to a 66 percent surcharge.

AUTHORITY NOTE: Promulgated by Louisiana Department of Transportation and Development, Louisiana Transportation Research Center, pursuant to R.S. 48:105.1.

HISTORICAL NOTE: Promulgated by Louisiana Department of Transportation and Development, Louisiana Transportation Research Center, LR 37:354 (January 2011), amended by Department of Transportation and Development, Office of Project Delivery, LR 52:

#### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature the impact of this proposed amendment on the family has been considered. The proposed amendments are not anticipated to have any foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability, and autonomy. Specifically, the implementation of the proposed amendments will have no known or foreseeable effect on:

1. The stability of the family.

2. The authority and rights of parents regarding the education and supervision of their children.

3. The functioning of the family.

4. Family earnings and family budget.

5. The behavior and personal responsibility of children.

6. The ability of the family or local government to perform his function.

#### **Poverty Impact Statement**

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this

proposed Rule has been considered. It is anticipated that these proposed rule changes will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Specifically,

1. The amendment of these rules will have no known or foreseeable adverse effect on household income, assets, and financial security.

2. The amendment of these rules will have no known or foreseeable adverse effect on early childhood development and preschool through postsecondary education development.

3. The amendment of these rules will have no known or foreseeable adverse effect on employment and workforce development.

4. The amendment of these rules will have no known or foreseeable effect on taxes and tax credits.

5. The amendment of these rules will have no known or foreseeable effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

#### **Small Business Analysis**

The impact of the amendment of these rules on small businesses, as defined in the Regulatory Flexibility Act, has been considered. The proposed amendment of these rules is not expected to have a significant adverse impact on small businesses. The department, consistent with health, safety, environmental, and economic welfare factors, has considered and, where possible, utilized regulatory methods in amending these rules that will accomplish the objectives of the proposed statutes while minimizing the adverse impact of the rules on small businesses.

#### **Provider Impact Statement**

The amendment of these rules is not anticipated to have any known or foreseeable impact on a provider as defined by House Concurrent Resolution No. 170 of the 2014 Regular Session of the Louisiana State Legislature.

Specifically:

1. The amendment of these rules does not have any known or foreseeable impact on the staffing level requirements or qualifications required to provide the same level of service.

2. The amendment of these rules does not have any known or foreseeable impact on the total direct and indirect effect on the cost to a provider to provide the same levels of service.

3. The amendment of these rules does not have any known or foreseeable impact on the overall effect on the ability of a provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments to Andrew Barry, General Counsel, Department of Transportation and Development, Office of General Counsel, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245. Mr. Barry is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on November 10, 2025.

#### **Public Hearing**

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of General Counsel, ATTN: Andrew Barry, General Counsel, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245; however, such request must be received no later than 4:30

p.m. on November 10, 2025. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, the Department of Transportation and Development will conduct a public hearing at 10:30 a.m. on November 25, 2025 in the Auditorium of the Department of Transportation and Development Headquarters, which is located at 1201 Capitol Access Road, Baton Rouge, LA. To confirm whether a public hearing will be held, interested persons should first call Andrew Barry at (225) 242-4665 after November 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Glenn Ledet, Jr.  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Louisiana Transportation Research  
Center (LTRC)**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO  
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change is not anticipated to have any costs or savings to state or local government units.

Under the current rules, the Louisiana Transportation Research Center (LTRC) is required to charge non-governmental attendees the actual cost of the program plus a 66% surcharge. Proposed rule change clarifies that the LTRC may charge the actual cost of the program, plus a surcharge of up to 66%. The proposed rule change updates the language to align with the current standard practices of the LTRC.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE  
OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to have any effect on revenue collections. The proposed rule change updates the language for the calculation of fees based on the current standard practices of the LTRC.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO  
DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR  
NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change is not anticipated to impact individuals, small businesses, or non-governmental groups.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT  
(Summary)**

The proposed rule change is not anticipated to have an effect on competition or employment.

Glenn Ledet, Jr.  
Secretary  
2510#006

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Transportation and Development  
Office of Project Delivery**

Permits for Rural Water Districts (LAC 70:II.Chapter 13)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., and through the authority granted in R.S. 36:504, that the Department of Transportation and Development proposes to repeal and relocate a portion of LAC 70:II.13, Permits for

Rural Water Districts, which regulates all rural water districts and their exemption from payment of the utility operator's annual permit fees. The proposed repeal simplifies these rules to comply with Plain Writing Act of 2010 (Public Law 111-274) for public understanding, and clarity to remove unnecessary and obsolete regulations.

**Title 70**

**TRANSPORTATION AND DEVELOPMENT**

**Part II. Utilities**

**Chapter 13. PERMITS FOR RURAL WATER  
DISTRICTS**

**§1301. Exemptions**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:381 (E)

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways/Engineering, LR 22:228 (March 1996), repealed by the Department of Transportation and Development, Office of Project Delivery, LR 52:

**§1303. Expense Reimbursement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:381 (E)

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways/Engineering, LR 22:228 (March 1996), repealed by the Department of Transportation and Development, Office of Project Delivery, LR 52:

**§1305. Inspection Fee Reimbursement**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:381 (E)

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways/Engineering, LR 22:228 (March 1996), repealed by the Department of Transportation and Development, Office of Project Delivery, LR 52:

**§1307. Fees Covering Expenses**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:381 (E)

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways/Engineering, LR 22:228 (March 1996), repealed by the Department of Transportation and Development, Office of Project Delivery, LR 52:

**§1309. Expenses Not Reimbursed**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:381 (E)

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways/Engineering, LR 22:228 (March 1996), repealed by the Department of Transportation and Development, Office of Project Delivery, LR 52:

**Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature the impact of this proposed amendment on the family has been considered. The proposed amendments are not anticipated to have any foreseeable impact on any family as defined by R.S.

49:972(D) or on family formation, stability, and autonomy. Specifically, the implementation of the proposed amendments will have no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or local government to perform his function.

#### **Poverty Impact Statement**

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that these proposed rule changes will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Specifically,

1. The amendment of these rules will have no known or foreseeable adverse effect on household income, assets, and financial security.
2. The amendment of these rules will have no known or foreseeable adverse effect on early childhood development and preschool through postsecondary education development.
3. The amendment of these rules will have no known or foreseeable adverse effect on employment and workforce development.
4. The amendment of these rules will have no known or foreseeable effect on taxes and tax credits.
5. The amendment of these rules will have no known or foreseeable effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

#### **Small Business Analysis**

The impact of the amendment of these rules on small businesses, as defined in the Regulatory Flexibility Act, has been considered. The proposed amendment of these rules is not expected to have a significant adverse impact on small businesses. The department, consistent with health, safety, environmental, and economic welfare factors, has considered and, where possible, utilized regulatory methods in amending these rules that will accomplish the objectives of the proposed statutes while minimizing the adverse impact of the rules on small businesses.

#### **Provider Impact Statement**

The amendment of these rules is not anticipated to have any known or foreseeable impact on a provider as defined by House Concurrent Resolution No. 170 of the 2014 Regular Session of the Louisiana State Legislature.

Specifically:

1. The amendment of these rules does not have any known or foreseeable impact on the staffing level requirements or qualifications required to provide the same level of service.
2. The amendment of these rules does not have any known or foreseeable impact on the total direct and indirect effect on the cost to a provider to provide the same levels of service.

3. The amendment of these rules does not have any known or foreseeable impact on the overall effect on the ability of a provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments to Andrew Barry, General Counsel, Department of Transportation and Development, Office of General Counsel, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245. Mr. Barry is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on November 10, 2025.

#### **Public Hearing**

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of General Counsel, ATTN: Andrew Barry, General Counsel, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245; however, such request must be received no later than 4:30 p.m. on November 10, 2025. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, the Department of Transportation and Development will conduct a public hearing at 9:30 a.m. on November 25, 2025 in the Auditorium of the Department of Transportation and Development Headquarters, which is located at 1201 Capitol Access Road, Baton Rouge, LA. To confirm whether a public hearing will be held, interested persons should first call Andrew Barry at (225) 242-4665 after November 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Glenn Ledet, Jr.  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Permits for Rural Water Districts**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change is not anticipated to have any costs or savings to state or local government units.

The proposed rule change repeals provisions that regulate the exemptions and reimbursements for rural water districts. The current rules within Title 70, Part II, Chapter 13 are being relocated to Title 70, Part II, Chapter 7.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to have any effect on revenue collections.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change is not anticipated to impact individuals, small businesses, or non-governmental groups. It repeals provisions that are unnecessary and/or obsolete.

#### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change is not anticipated to have an effect on competition or employment.

Glenn Ledet, Jr.  
Secretary  
2510#009

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office



**NOTICE OF INTENT**

**Department of Transportation and Development  
Office of Project Delivery**

Utility Operator Fees (LAC 70:II.701, 703, and 705)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., and through the authority granted in R.S. 36:504, that the Department of Transportation and Development proposes to amend LAC 70:II.7, Utility Operator Fees, Part II, which regulates the procedures, fees and use of rights-of-way by utility operators situated within the Department of Transportation and Development's (DOTD) highway system. The proposed amendments simplify these rules to comply with Plain Writing Act of 2010 (Public Law 111-274) for public understanding, and clarify to remove unnecessary and obsolete regulations.

**Title 70  
TRANSPORTATION AND DEVELOPMENT  
Part II. Utilities**

**Chapter 7. Utility Operator Fees**

**§701. Use of Rights-of-Way**

A. Following is a schedule of fees for use of highway rights-of-way by utility operators.

Operator Type	Customers	Annual Fee
Class 1	0-100	\$ 20
Class 2	101-500	\$ 50
Class 3	501-6000	\$200
Class 4	more than 6000	\$700
Operator of Transmission Pipelines \$100/Parish; \$1500/Maximum		

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:381(E).

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Utility and Permit Section, LR 20:318 (March 1994), amended by the Department of Transportation and Development, Office of Project Delivery, LR 52:

**§703. Procedure**

A. Following is the procedure for the processing of utility operator permit fees.

1. This fee only covers use of highway right-of-way for utility facilities and driveways; it does not cover attachments to structures, leasing excess property or joint use agreements.

2. The fee shall cover all utility facilities owned by the utility operator, regardless of how many different types of facilities are owned by the operator.

3. If, as the result of a highway relocation or other activity performed for the benefit of Department of Transportation and Development, a utility operator that previously had no facilities within highway right-of-way has facilities within highway right-of-way, this operator shall maintain his prior rights, and shall not be liable for this fee, until such time as he places additional facilities within the right-of-way.

4. Class 1 and Class 2 operators who own facilities that cross highways perpendicularly, and that have no facilities located longitudinally within highway right-of-way shall be exempt from this fee.

5. Each operator shall include in his application updated information which may affect the amount of his invoice.

6. Each December the Department of Transportation and Development shall invoice all known utility operators with facilities located within state highway right-of-way.

7. Each operator shall pay the invoice in full by January 31 of the following year.

8. One fee shall be paid by each owner, regardless of how many divisions or types of facilities he owns.

9. Separate companies owned by the same parent company shall each pay separate fees.

10. Issuance of permits to operators failing to submit full payment by February 1 of each year shall be suspended. The operator shall be notified of this deficiency, and shall have 60 days from the date of this notification to submit payment in full. Facilities owned by operators who fail to submit full payment within the 60-day notification period shall be removed from highway right-of-way.

11. All payments shall be in a lump sum form, and shall be paid by cashier's check, money order, or approved alternative.

12. Upon receipt of all monies, the Department of Transportation and Development shall deposit same in the Right-of-Way Permit Processing Fund. All monies existing in this fund at the end of each fiscal year shall be retained in the Right-of-Way Permit Processing Fund and shall not be deposited in the General Fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:381(E).

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Utility and Permit Section, LR 20:318 (March 1994), amended LR 20:1020 (September 1994), amended by the Department of Transportation and Development, Office of Project Delivery, LR 52:

**§705. Exemptions and Inspection Reimbursement for Rural Water Districts**

A. A *rural water district* means a not-for-profit entity whose purpose is to supply water to residents of rural, unincorporated areas which are not served by parish or municipal water systems.

B. All rural water districts are exempt from payment of the utility operator's annual permit fees for use of DOTD right of way.

1. The chief engineer or his duly authorized representative may assess reasonable operator's fees for rural water districts in connection with the issuance of permits to defray the expense of inspection by the department's employees.

C. Additionally, the Department of Transportation and Development may reimburse reasonable expenses incurred by the rural water districts for inspection costs incurred during an inspection for the issuance of a permit when the rural water district performs the following:

1. If the rural water district requests reimbursement for inspection fees for the issuance of a permit, the rural district shall

a. Provide the DOTD with a cost estimate per unit break down with each permit request including a cost reimbursable estimate of at a minimum one hour of inspector time.

b. The rural water district shall notify DOTD within 72 hours of completing work, and DOTD shall arrange for a final inspection. Failure to notify DOTD within the time limit specified shall relieve DOTD of any responsibility for reimbursement of inspection fees.

c. Upon receipt of the above information, DOTD shall schedule an audit of the rural water district's records. Upon completion of audit, all verifiable inspection expenses to include one rural water district representative for the on-site inspection by DOTD, and other expenses incurred as a direct result of DOTD requests, including but not limited to surveying, excavating, probing may be paid by DOTD.

d. Any expenses which cannot be verified by the DOTD auditor will not be approved for reimbursement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:381 (E), (H).

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Project Delivery, LR 52:

#### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature the impact of this proposed amendment on the family has been considered. The proposed amendments are not anticipated to have any foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability, and autonomy. Specifically, the implementation of the proposed amendments will have no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or local government to perform his function.

#### **Poverty Impact Statement**

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that these proposed rule changes will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Specifically,

1. The amendment of these rules will have no known or foreseeable adverse effect on household income, assets, and financial security.
2. The amendment of these rules will have no known or foreseeable adverse effect on early childhood development and preschool through postsecondary education development.
3. The amendment of these rules will have no known or foreseeable adverse effect on employment and workforce development.
4. The amendment of these rules will have no known or foreseeable effect on taxes and tax credits.
5. The amendment of these rules will have no known or foreseeable effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

#### **Small Business Analysis**

The impact of the amendment of these rules on small businesses, as defined in the Regulatory Flexibility Act, has been considered. The proposed amendment of these rules is

not expected to have a significant adverse impact on small businesses. The department, consistent with health, safety, environmental, and economic welfare factors, has considered and, where possible, utilized regulatory methods in amending these rules that will accomplish the objectives of the proposed statutes while minimizing the adverse impact of the rules on small businesses.

#### **Provider Impact Statement**

The amendment of these rules is not anticipated to have any known or foreseeable impact on a provider as defined by House Concurrent Resolution No. 170 of the 2014 Regular Session of the Louisiana State Legislature.

Specifically:

1. The amendment of these rules does not have any known or foreseeable impact on the staffing level requirements or qualifications required to provide the same level of service.
2. The amendment of these rules does not have any known or foreseeable impact on the total direct and indirect effect on the cost to a provider to provide the same levels of service.
3. The amendment of these rules does not have any known or foreseeable impact on the overall effect on the ability of a provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments to Andrew Barry, General Counsel, Department of Transportation and Development, Office of General Counsel, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245. Mr. Barry is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on November 10, 2025.

#### **Public Hearing**

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of General Counsel, ATTN: Andrew Barry, General Counsel, P.O. Box 94245, Baton Rouge, Louisiana 70804-9245; however, such request must be received no later than 4:30 p.m. on November 10, 2025. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, the Department of Transportation and Development will conduct a public hearing at 9:30 a.m. on November 25, 2025 in the Auditorium of the Department of Transportation and Development Headquarters, which is located at 1201 Capitol Access Road, Baton Rouge, LA. To confirm whether a public hearing will be held, interested persons should first call Andrew Barry at (225) 242-4665 after November 10, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Glenn Ledet, Jr.  
Secretary

#### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Utility Operator Fees**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change is not anticipated to have any costs or savings to state or local government units.

The proposed rule change relocates and clarifies provisions that regulate the exemptions and reimbursements for rural water districts from Title 70, Part II, Chapter 13 to Title 70, Part II, Chapter 7.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to have any effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to impact individuals, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to have any effect on competition or employment.

Glenn Ledet, Jr.  
Secretary  
2510#008

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

#### Abandoned and Salvaged Recreational Vessel Registration and Titling (LAC 76:XL.311)

The Wildlife and Fisheries Commission does hereby establish protocols on the designation, removal, registration, and titling of abandoned vessels.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed Rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

#### Title 76

### WILDLIFE AND FISHERIES

#### Part XI. Boating

#### Chapter 3. Boating Safety

#### §311. Abandoned and Salvaged Recreational Vessel Registration and Titling

##### A. Definitions

*Abandoned Vessel*—any vessel that:

- a. has remained on or immediately adjacent to private property without the consent of the property owner, agents, lessee, or assigns; or
- b. has been found adrift or unattended in or upon the land or waters of the state, parish, or municipality for more than 30 days and is found to constitute a hazard or obstruction to the use of the waters of the state or presents a potential health or environmental hazard; or

c. is in a wrecked, submerged, inoperative or partially dismantled condition.

*Authority*—the federal, state, or local governing authority having jurisdiction over any canal, coulee, drainage ditch, outfall canal, bayou, bay, lake, or any other waterway, whether navigable or not, or on the banks thereof within the state of Louisiana as defined in R.S. 34:843.

##### B. Procedure

##### 1. Obtaining Abandoned Vessel Information

a. Persons attempting to obtain information regarding an abandoned vessel must request vessel information from the department that includes the following:

i. a detailed description of the vessel, including make, model, and any identifying number, including registration numbers, decal numbers, hull identification number, or USCG documentation number,

ii. the parish, waterway, address, and/or any other pertinent information revealing the specific location of the abandoned vessel, and

iii. photographs of the vessel in the above described location and any and all identifying numbers of the abandoned vessel.

iv. a written statement attesting that the vessel is abandoned as defined in this Section.

##### 2. Notice to Owner(s) and/or Holders of Security Interests

a. If the vessel has a registration number assigned by the department, or any other state, or if there are any other means of identifying the owner and any lienholder, the Authority must make a good faith effort, by certified mail/return receipt, to notify the owner and any lienholder at their last known address.

##### 3. Contents of notice must:

a. describe the vessel and include any identifying numbers;

b. give location where vessel is located;

c. inform the owner(s) and any lienholder of a right to reclaim the vessel within 30 days;

d. state that failure to claim the vessel will constitute a waiver of all rights, title and interest in the vessel; and

e. if ownership is not claimed and vessel removed within 30 days after receipt of the letter, the vessel shall be deemed abandoned.

##### 4. Notice by Publication

a. If the Authority is unable to determine the last registered owner or the identity of any lienholder of the abandoned vessel, or if the certified mail notice is returned "undeliverable," the Authority shall place a notice, to appear at least one day for three consecutive weeks, in the official journal of the parish where the vessel is located.

b. The notice by publication shall contain the information required under Contents of Notice and shall be published within 15 days of the return of the certified mail as undeliverable.

##### 5. Removal of Abandoned Vessel

a. If the owner or any lienholder fails to claim the vessel within 30 days after the certified mail or after the initial notice by publication is given, the Authority, or an interested third party approved by the Authority may remove the vessel at their own expense and claim ownership.

6. Application for Registration and Title

a. Once the abandoned vessel is removed, any person in lawful possession of the vessel may apply to the department for registration and title. The application must be accompanied by the following:

- i. the completed and notarized affidavit for Registration/ Titling of Abandoned Recreational Vessels;
- ii. receipts for certified mail to identified owner and any lienholder or original copies of the notice of publication as required in Subparagraph 4.a. above; and
- iii. a certificate of Deletion issued by the U.S. Coast Guard if the vessel bears an official number issued by the Coast Guard or there is other evidence that the vessel was documented by the Coast Guard.

b. If an applicant has purchased, or otherwise came into legal possession, a salvaged vessel from the Authority as outlined in R.S. 34:843, in addition to all items outlined in Subparagraph 6.a. above, they shall provide a bill of sale, act of donation, or other legal transfer of ownership documents from the Authority.

7. Issuance of Registration and Title

a. Any vessel that has been recovered or salvaged after being deemed abandoned in accordance with this rule and R.S. 34:843 shall be required to be registered and titled before being operated upon the waters of the state.

b. Upon receipt of a completed application and payment of applicable fees, the department shall issue a registration and title in the name of the applicant.

c. All cost incurred in obtaining registration and title shall be borne by the applicant.

8. Abandoned Vessels on Private Property

a. Private property owners, or their designee, may act independently from the Authority when an abandoned vessel is on or moored to their private property.

b. All procedures described above and outlined in R.S. 34:843 must be adhered to by private property owners, or their designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:843 and R.S. 34:852.23.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 52:

**Family Impact Statement**

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

**Poverty Impact Statement**

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

**Provider Impact Statement**

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

**Small Business Analysis**

This proposed Rule is expected to have a positive impact on small businesses engaged in the salvage and recovery of abandoned vessels and on marinas and other small businesses with properties on which abandoned vessels may be situated.

**Public Comments**

Interested persons may submit written comments relative to the proposed Rule until December 2, 2025 to Captain Jason Russo, Enforcement Division, Department of Wildlife and Fisheries, P. O. Box 98000, Baton Rouge, LA 70898-9000 or via e-mail to jrusso@wlf.la.gov.

Kevin Sagrera  
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Abandoned and Salvaged Recreational  
Vessel Registration and Titling**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There is no anticipated impact on the Louisiana Department of Wildlife and Fisheries (LDWF) expenditures resulting from the proposed rule changes.

The proposed rule makes the following changes:

- a. Defines the term "abandoned vessels" for the purposes of the rule.
- b. Establishes procedures for local governments and private property owners to obtain information regarding vessels abandoned on their properties
- c. Establishes procedures for sending notices to owners of abandoned vessels.
- d. Allows local governments and private property owners to remove abandoned vessels located on their properties.
- e. Establishes procedures to register and title abandoned vessels to facilitate the transfer of ownership to local governments, approved third parties, and private property owners of the properties on which the vessels are located.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule may have a moderately positive effect on revenue collections of the LDWF from the payment of boating registration fees for reclaimed vessels.

The proposed rule changes establish procedures for federal, state, and local government agencies to transfer ownership of abandoned vessels situated on properties under their control. The agencies that take possession of the abandoned vessels may derive revenue from the sale of the vessels, gear, equipment, or parts.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is expected to benefit anglers, boaters, commercial fishers, and others who use Louisiana waterways by providing a means to remove abandoned vessels that may present a disruption to safe navigation. The proposed rule change is expected to benefit private owners of lands and waters on which boats are abandoned by providing them a legal avenue for their removal. The proposed rule changes may provide opportunities to earn revenue from the sale or disposal of vessels, gear, and parts. Private property owners who choose to remove abandoned vessels under the proposed rule change may experience costs related to their relocation. The proposed rule change may provide additional revenue opportunities for marinas, boat yards, and businesses that rent or lease slips or docks to boat owners by freeing up space for other potential

customers. Many of the marina owners, landowners, or other businesses that may benefit from the proposed rule change meet the qualifications of small businesses.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes are not anticipated to have any effect on competition or employment in the public and private sectors.

Bryan McClinton  
Undersecretary  
2510#036

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

# Administrative Code Update

CUMULATIVE: JAN-SEPT 2025

LAC Title	Part #.Section #	Action	Location:		LAC Title	Part #.Section #	Action	Location:	
			Month	Page #				Month	Page #
4	III.101,103,106,112,114,122,137	Amended	Feb.	295	CXV.1119		Amended	Oct.	1577
	III.119	Repealed	Feb.	295			Repealed	Jan.	54
	VII.992	Amended	Oct.	1578			Adopted	Jan.	48
7	I.105	Amended	June	782	CXV.1303,1307,1309,2303,2305		Amended	Jan.	54
	I.111	Adopted	June	783			Amended	Jan.	48
	I.301,303,305,307	Adopted	June	781			Amended	Jan.	34
	XIII.707,755,763	Amended	Oct.	1568			Amended	Aug.	1128
	XIII.1201,1203,1205,1207,1209	Adopted	Oct.	1568			Amended	Sep.	1343
	XV.126	Amended	Jan.	26			Amended	Feb.	271
	XVII.127	Repromulgated	June	769			Repealed	Feb.	271
	XXIII.103,701,709,711,2101,2103	Amended	June	771			Repealed	Feb.	271
	XXV.101,113,117	Amended	June	776			Repealed	Feb.	271
	XXIX.102,107,109,113,115,117,119	Amended	Jan.	26			Amended	Aug.	1129
	XXXIII.301,303,305,307,309,311,313,315	Adopted	June	777			Adopted	Feb.	271
	XXXIII.317,319,321,323,325,327,329,331,333	Adopted	June	777			Repealed	Feb.	271
	XXXV.513,515,517,519,521,523	Adopted	Jan.	29			Repealed	Feb.	270
	XXXVII.101,103,105,107,109,111,115,117	Repealed	June	783			Amended	Feb.	270
	XXXVII.119	Repealed	June	783			Amended	Feb.	262
	XXXIX.505,509,523,527,531,533,535,539	Amended	Jan.	30			Amended	Jan.	37
	XXXIX.545	Amended	Jan.	30			Amended	Jan.	37
	XXXIX.701	Amended	Oct.	1577			Amended	Jan.	37
	XXXIX.1500,1507,1509	Adopted	Jan.	32			Adopted	Jan.	37
	XLV.107	Adopted	Jan.	30			Amended	Jan.	37
13	I.529,537,539,541,543,545,547,549,551	Amended	Mar.	366		Repealed	Jan.	37	
	I.553,555,557,559,561,563,565,567,569	Amended	Mar.	366		Amended	Jan.	37	
	VII.101,103,105,107	Adopted	Jan.	33		Adopted	Feb.	271	
22	I.303	Amended	Oct.	1681		Adopted	Feb.	271	
	I.341	Amended	Oct.	1667		Adopted	Feb.	271	
	I.405	Amended	Feb.	301		Adopted	Feb.	271	
	V.201,203,204,205,209,211	Amended	Feb.	292		Amended	Aug.	1129	
	IX.101,303,305,307,308,309,313,321,331	Amended	Mar.	360		Amended	Jan.	44	
25	IX.500,501,502,503,504,505,506,507	Amended	Mar.	360		Adopted	Jan.	44	
	28	I.501	Amended	Feb.	292		Repealed	Feb.	265
I.503,505		Amended	Jan.	34		Amended	Feb.	265	
I.507		Adopted	Jan.	34		Amended	Feb.	265	
I.801,802,803,804,805,806,807,808		Adopted	June	819		Amended	Feb.	268	
IV.301,704,804,1203		Amended	Jan.	63		Amended	Jan.	45	
IV.1301,1303,1305,1307		Repealed	Jan.	63		Amended	May	650	
IV.1801,1809		Amended	June	784		Adopted	Jan.	45	
IV.2103		Amended	Apr.	530		Amended	Apr.	523	
IV.2103		Amended	Apr.	531		Amended	Apr.	523	
IV.2203,2205,2209,2213		Amended	Jan.	66		Amended	Apr.	523	
IV.2215		Adopted	Jan.	66		Adopted	Apr.	523	
VI.315		Amended	Jan.	67		Amended	Apr.	523	
XI.103		Amended	Jan.	34		Amended	Jan.	34	
XI.705		Amended	Feb.	264		Amended	Mar.	405	
XI.907,909		Amended	Jan.	54		Amended	Aug.	1135	
XI.1901,1903,6821		Amended	Oct.	1578		Amended	Jan.	69	
XI.5316		Amended	Aug.	1128		Amended	Jan.	68	
XI.5901,5903,5907,5909		Amended	July	954		Amended	Aug.	1158	
XXXV.110		Amended	Feb.	269		Amended	Aug.	1134	
XXXIX.700,701,705		Amended	Jan.	52		Amended	May	686	
XLI.1301		Amended	Aug.	1129		Amended	Aug.	1131	
XLI.1503		Adopted	Jan.	54		Amended	July	955	
XLIII.151,322,504,507,511,520,1507,1511		Amended	Jan.	59		Amended	Mar.	379	
XLV.103,105		Adopted	Feb.	271					
XLV.303,741,743,745,749		Amended	Feb.	271			Amended	Aug.	1136
XLV.743,745		Amended	Aug.	1129			Repealed	Aug.	1136
XLV.1301		Repealed	Feb.	271			Adopted	Aug.	1136
XCI.101,103,107,109,111,309,315		Amended	Jan.	59			Amended	June	785
XCVII.505	Amended	July	954			Adopted	Aug.	1160	
LIX.309	Amended	Jan.	54			Adopted	Feb.	252	
LXI.305	Amended	Jan.	59			Adopted	Feb.	252	
LXV.109	Amended	Jan.	34			Adopted	Feb.	252	
LXXV.101,103,105,107,109,111,113,115	Repealed	Feb.	259			Repealed	Apr.	538	
LXXV.117,119,121,123,125	Repealed	Feb.	259			Repealed	Apr.	538	
LXXIX.119,121,903,1101,1303,1309,1311	Amended	Jan.	50			Repealed	Apr.	538	
LXXIX.121,1311,3001,3003,3005,3007,3009	Amended	July	951			Amended	July	968	
LXXIX.1101	Amended	May	650			Repealed	May	679	
LXXIX.1501	Amended	Jan.	50			Amended	July	962	
LXXIX.3011,3013,3017	Amended	July	951			Amended	July	962	
CIV.101,103,301,303,501,503,701,703,705	Adopted	Feb.	259			Amended	Jan.	73	
CIV.707,709,901,903,905,907,1101,1103	Adopted	Feb.	259			Amended	Aug.	1166	
CIV.1105	Adopted	Feb.	259			Adopted	Jan.	74	
CXV.303,331,332	Amended	Jan.	59			Adopted	June	803	
CXV.303	Amended	Feb.	270			Adopted	June	803	
CXV.325	Amended	July	954			Adopted	July	965	
CXV.333,337,1107,1135,1143	Amended	Jan.	48			Adopted	July	965	
CXV.353	Adopted	Jan.	54			Adopted	July	965	
CXV.339,519,1117,1127,1141,1301,1302	Amended	Jan.	54			Adopted	July	965	

LAC Title	Part #.Section #	Action	Location: Month Page #	LAC Title	Part #.Section #	Action	Location: Month Page #
40	XIII.20701,20703,20705,20707,20709,20711	Adopted	Aug. 1167	48	LXXXV.700,701,702,704,705,707,712	Amended	Feb. 249
	XIII.20713,20715,20717	Adopted	Aug. 1167		LXXXV.813,1203,1205,1207,1217	Repromulgated	Sep. 1342
	I.2328	Amended	Jan. 85		I.1901,1905,1909,1915	Amended	Apr. 537
	I.5500,5508,6701,6703,6705,6707,6709,6711	Adopted	Oct. 1617		I.1903,1925	Repealed	Apr. 537
	I.5501,5507,5525,5533,5534,5537,5539,5541	Amended	Oct. 1617		I.4531,6713,6717,6719,6737,6761	Amended	Jan. 71
	I.5503,5505,5509,5511,5515,5535,5703,5805	Repealed	Oct. 1617		I.4603	Amended	Jan. 72
	I.5543,5545,5547,5701,5705,5709,5710,5809	Amended	Oct. 1617		I.4901,4925,4931,4973	Amended	July 957
	I.5811,5813,5817,5824,5831,5833,5835,5905	Amended	Oct. 1617		I.5603,5617,5637,5670,5725,5727,5729	Amended	Apr. 534
	I.5821,5823,5913,5915,5921,5927,5931,5941	Repealed	Oct. 1617		I.5612	Adopted	Apr. 534
	I.5909,5911,5933,5955,5963,6001,6005,6007	Amended	Oct. 1617		I.5731,5735	Amended	Apr. 534
	I.5943,5953,6101,6203,6205,6211,6215,6305	Repealed	Oct. 1617		I.6003,6015,6017,6021,6031,6033,6035,6043	Amended	May 676
I.6102,6103,6104,6301,6315,6503,6509,6601	Amended	Oct. 1617	I.6037	Repealed	May 676		
I.6311,6313,6317,6401,6405,6603,6627,6629	Repealed	Oct. 1617	I.6045,6047,6053,6061,6063,6065,6071	Amended	May 676		
I.6605,6613	Amended	Oct. 1617	I.9201,9202,9231,9277,9285	Amended	Oct. 1614		
I.6631,6633,6635,6637,6639,6641,6643,6645	Repealed	Oct. 1617	I.9303,9305,9317,9321,9323,9327,9353,9389	Amended	July 958		
I.6647,6649,6651,6653,6655,6657,6659,6661	Repealed	Oct. 1617	I.9334	Adopted	July 958		
I.6662,6663,6664,6665,6667	Repealed	Oct. 1617	I.9405,9125,9471,9495,9507,9555,9573	Amended	July 958		
I.6713,6715,6717,6719,6721,6725,6727,6729	Adopted	Oct. 1617	I.9701,9759, 9923	Amended	Mar. 402		
I.6731,6733,6735,6737,6739,6741,6743,6745	Adopted	Oct. 1617	I.9701,9759	Amended	Aug. 1165		
I.6747	Adopted	Oct. 1617	I.9768	Adopted	Mar. 402		
IV.107,109	Amended	Sep. 1351	I.10001,10015	Amended	Sep. 1345		
IV.371	Amended	Sep. 1352	I.10033, 10045,10059,10061,10071	Amended	Sep. 1344		
IV.501,503,505,507,509,511,513	Repealed	Sep. 1350	I.10083,10089,10090,10091,12501,12545	Amended	Mar. 400		
III.2905	Amended	Feb. 303	I.13601,13603,13605,13607,13609,13611	Adopted	May 668		
43	XV.1301,1303,1305,1307	Adopted	Mar. 404	I.13613,13615,13617,13619,13621	Adopted	May 668	
	XVII.3601,3603,3605,3607,3609,3611	Amended	Mar. 375	V.7001,7003,7005,7007,7009	Amended	Oct. 1615	
46	XVII.3615,3617,3621,3623,3625,3629	Amended	Mar. 375	III.2309	Amended	May 668	
	XVII.3801,3803,3805,3807,3811	Amended	Mar. 374	V.120	Adopted	Oct. 1610	
	XXV.101,111,113,117,125,503,505,509,701	Amended	Oct. 1589	V.1201,1225	Adopted	Feb. 299	
	XXV.703,705	Amended	Oct. 1589	V.7901,7903	Adopted	Feb. 300	
	XXXIII.136	Adopted	Aug. 1161	VII.20001,20005,20006,20007,20013,20029	Amended	Oct. 1610	
	XXXIII.128,1611,1613,1709,1711	Amended	June 787	VII.32903,32917	Amended	May 667	
	XXXVIII.101,103,301,303,306,308,501,505	Amended	May 673	VII.32904	Amended	May 668	
	XXXVIII.511,519	Amended	May 673	IX.15113	Amended	Jan. 70	
	XL.309,313	Amended	Aug. 1159	XI.10703	Amended	May 666	
	XLI.725	Amended	May 651	XXI.707,711	Amended	Mar. 399	
	XLV.171,173,175,177,1901,1903,1905,1907	Amended	May 652	XXI.711	Amended	Sep. 1343	
	XLV.303	Amended	June 797	XXI.8105,8501,8601,9301,9501,9503	Amended	Feb. 297	
XLV.303	Amended	Aug. 1162	I.127	Adopted	Feb. 301		
XLV.305,416	Adopted	June 788	II.105	Amended	Oct. 1616		
XLV.398	Adopted	Aug. 1162	IX.135	Amended	Feb. 301		
XLV.417,418,435,447	Amended	Aug. 1163	XXVIII.107	Amended	Jan. 73		
XLV.433,441,449,4005	Amended	June 788	I.709	Amended	Apr. 522		
XLV.1909,1911,1913,1921,1937,1939,1940	Amended	May 652	I.1603	Amended	Feb. 252		
XLV.1943,1945,1947,1949,1951,1957,1959	Amended	May 652	I.1615,1617,1619	Adopted	Feb. 251		
XLV.1961,1963,1965,1967,1969,1973,1975	Amended	May 652	I.1703	Amended	July 951		
XLV.1977,1979,4905,4907,4909,4911,4913	Amended	May 652	I.501,901	Amended	May 680		
XLV.3303,3339,3343,6305,6311	Amended	Mar. 398	I.503,516	Amended	May 683		
XLV.4917,4925,4926,4927,4928,4929,4930	Amended	May 652	I.507	Amended	May 685		
XLV.4931,4932,4933	Amended	May 652	I.509	Amended	May 684		
XLV.7301,7303,7305,7307,7308,7309,7311	Amended	June 792	I.555,581	Amended	May 681		
XLV.7310	Adopted	June 792	I.903	Adopted	July 956		
XLV.7313,7314,7315	Amended	June 792	I.1505	Amended	May 682		
XLV.7701,7703,7705,7707,7709,7711,7713	Repealed	June 791	III.159	Amended	June 805		
XLV.7715,7717,7719,7721,7723,7727,7725	Repealed	June 791	III.171	Amended	Oct. 1682		
XLV.9920	Amended	Aug. 1162	III.401,403,405,411,413,415,451	Amended	June 806		
XLVII.3707	Repealed	Oct. 1588	III.403,411,451	Amended	Apr. 547		
LIII.905	Amended	Oct. 1589	III.419	Adopted	Apr. 547		
LIII.1711,1105	Amended	June 798	III.1643	Adopted	Apr. 548		
LIII.2301,2307	Amended	Oct. 1588	I.401,403,405	Amended	June 821		
LIII.2441,2443,2445,2447,2451,2455,2457	Repealed	May 665	I.4701	Adopted	June 820		
LIII.2705	Amended	Oct. 1589	V.2101,2103	Repromulgated	Jan. 70		
LV.101,301,1001	Repromulgated	Mar. 407	IX.301,303	Amended	Sep. 1349		
LX.611,707,3315,3503	Repromulgated	Mar. 403	IX.401	Adopted	Sep. 1348		
LX.707	Amended	Sep. 1346	I.1501	Amended	June 809		
LX.707	Amended	Sep. 1347	I.4919	Amended	July 970		
LX.901	Amended	July 961	V.703,705,901,903,907,1007,1103,1301	Amended	Mar. 380		
LXI.701,703,707,709	Amended	Oct. 1550	V.1303,1307,1503,2501,2503,3103	Amended	Mar. 380		
LXI.705,903,905,907,909,911,1101,1703	Amended	Apr. 550	V.7503,7505,7507,7508,7509,7511,7515	Amended	Apr. 539		
LXI.903,909	Repromulgated	May 686	V.7517,7523,7525	Amended	Apr. 539		
LXI.2503,2701,2907,2911,3119	Amended	Apr. 550	VII.123,529	Adopted	Sep. 1352		
LXIII.3100,3300	Adopted	Apr. 531	VII.309	Amended	Sep. 1347		
LXIII.3101,3301	Repealed	Apr. 531	VII.1301	Repealed	Sep. 1348		
LXIII.3202	Amended	Apr. 531	I.313,315	Amended	Oct. 1685		
LXIII.6101,6103,6301,6501,6503,6505,6701	Adopted	Oct. 1579	V.137	Amended	Sep. 1349		
LXIII.6703,6901,6903,7101,7301,7303,7305	Adopted	Oct. 1579	V.701	Amended	June 822		
LXIII.7307,7309,7311,7313,7315,7501,7701	Adopted	Oct. 1579	VII.357	Amended	Jan. 84		
LXIII.7901,8101,8301,8501	Adopted	Oct. 1579	VII.391	Adopted	June 865		
LXVI.901,1201,1205	Amended	June 799	XV.101	Amended	Jan. 75		
LXVI.1131	Adopted	June 799	XIX.101,103,111,115,117	Amended	June 824		
LXVI.1217	Amended	June 802	XIX.109	Amended	June 822		
LXXXV.106,108,401,805,807,809,815	Repromulgated	July 950	XIX.111	Amended	Aug. 1168		
LXXXV.301,801,1201	Amended	June 769					

# Potpourri

## POTPOURRI

### Department of Agriculture and Forestry Office of Animal Health Services

Hunting Season Variances for  
Farm-Raised White-Tailed Deer

Pursuant to LAC 7: XXI.1719(A), farm-raised white-tailed deer may be harvested by killing from October 1 through January 31. LAC 7:XXI.1719(C) authorizes the commissioner of Agriculture and Forestry to establish, by written order, variances of these dates as the commissioner deems necessary to carry out the purposes of R.S. 3:3101-3108.

In light of the foregoing, and in consideration of the applications for variances, commissioner of Agriculture and Forestry, Mike Strain, DVM, has authorized the following:

The Hardwoods Group, L.L.C., License No. 2082, 599 Timothy Church Rd, Springhill, LA 71075, through its owner, Zach Raley, is authorized to open its hunting grounds for the purpose of harvesting white-tailed deer from September 26, 2025, through September 30, 2025.

2 Brothers Whitetails, L.L.C., License No. 2068, 56099 Dohm Road, Loranger, LA 70446, through its owner, Brandon Bollinger, is authorized to open its hunting grounds for the purpose of harvesting white-tailed deer from September 26, 2025, through September 30, 2025.

Mike Strain, D.V.M.  
Commissioner

2510#039

## POTPOURRI

### Department of Conservation and Energy Office of Permitting and Compliance

Notice of Public Hearing—Draft Permit for Application  
Louisiana Regional Landfill Company  
Commercial, Class I Nonhazardous Waste Disposal Well  
Allen Parish, Louisiana  
Docket No. IMD 2025-12  
Application No. 43577

Pursuant to provisions of the laws of the State of Louisiana and particularly Title 43 of the Louisiana Revised Statutes of 1950 as amended, and provisions of Statewide Order No. 29-N-1 and Statewide Order No. 29-B, notice is hereby given that the Department of Conservation and Energy has prepared a draft permit for the application referenced below and that the secretary will conduct a public hearing to solicit comments on the draft permit. The hearing will be held in the Allen Parish Civic Center, located at 609 Tiger Lane, Oberlin, Louisiana, at 6 p.m. on November 20, 2025.

At such hearing, the secretary or designated representative will give any interested person the opportunity to present testimony, facts, or oral or written comments relative to the draft permit prepared in response to an application by:

Louisiana Regional Landfill Company  
1158 Landfill Road  
Oakdale, LA 71463

Louisiana Regional Landfill Company has applied to the Department of Conservation and Energy for a permit to drill, construct, and operate one new Commercial, Class I Nonhazardous Waste Disposal Well in Section 19, Township 02 South, Range 02 West, of Allen Parish for disposal of industrial, nonhazardous liquid wastes and exploration and production (E & P) waste fluids. The proposed well will be identified as LRLC Well No. 001. Waste disposal is proposed to occur initially at a depth of 6,824 feet to 7,544 feet below ground level (bgl) within a disposal zone of 6,699 feet to 7,599 feet bgl. The base of the lowermost underground source of drinking water (USDW) at the specific facility location occurs at an approximate depth of 2,150 feet bgl.

A copy of the draft permit, fact sheet, application or other information concerning the application may be obtained by writing to Katelyn Roshto, Office of Permitting and Compliance, 617 North 3<sup>rd</sup> Street, 8<sup>th</sup> Floor, Baton Rouge, LA 70802 or by calling (225) 342-5515. The Draft Permit and fact sheet are also available for inspection between 8 a.m. and 4:30 p.m., Monday through Friday in the Department of Conservation and Energy, Rm. 817, of the LaSalle Building, 617 North 3<sup>rd</sup> Street, Baton Rouge, LA 70802. In addition, the application package is available at the Louisiana Department of Conservation and Energy website.

#### Public Comments

Interested parties may also submit written comments at any time prior to or during the public hearing. Written comments concerning the application must be received by the Department of Conservation and Energy no later than 4:30 p.m., November 21, 2025. Submit all comments to: Katelyn Roshto, Office of Permitting and Compliance, 617 North 3<sup>rd</sup> Street, 8<sup>th</sup> Floor, Baton Rouge, LA 70802. Comments may also be e-mailed to [info@la.gov](mailto:info@la.gov). Please reference: *Louisiana Regional Landfill Company Class I, Application Number 43577, Docket No. IMD 2025-12.*

All persons having interest in the aforesaid shall take notice thereof.

In accordance with Act 393 of the 2023 Louisiana Regular Session, accommodations will be provided upon request to people with disabilities in order to access this public hearing. To request an accommodation for this hearing, please contact [Maranda.Rispono@la.gov](mailto:Maranda.Rispono@la.gov).

By order of:

Dustin H. Davidson  
Secretary

2510#045



**POTPOURRI**

**Department of Conservation and Energy  
Office of Conservation**

**Orphaned Oilfield Sites**

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	014	22753
Cox Operating, L.L.C.	Quarantine Bay	L	QB T RB SU;SL 195 QQ	015	23053
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	020	24432
Cox Operating, L.L.C.	Quarantine Bay	L	Plaq Land Co A	004	25209
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	026	25381
Cox Operating, L.L.C.	Quarantine Bay	L	QB 7 RA SU;SL 195 QQ	037	27320
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	059	34670
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	063	37609
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	068	40219
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	070	40994
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	073	41325
Cox Operating, L.L.C.	Quarantine Bay	L	SL 1350	003	41422
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	084	44114
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	097	56096
Cox Operating, L.L.C.	Quarantine Bay	L	QB 1A RB SU;SL 195 QQ	015-D	56391
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	099	56581
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	084-D	56671
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	097-D	57091
Cox Operating, L.L.C.	Quarantine Bay	L	QB 8 RB SU;SL 195 QQ	014-D	57094

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	037-D	57350
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	020-D	57576
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	099-D	57735
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	105	58568
Cox Operating, L.L.C.	Quarantine Bay	L	QB 1A RB SU;SL 195 QQ	105-D	59874
Cox Operating, L.L.C.	Quarantine Bay	L	QB 9C RC SU;SL 195 QQ	109	69320
Cox Operating, L.L.C.	Quarantine Bay	L	QB 8 RB SU;SL 195 QQ	113	75105
Cox Operating, L.L.C.	Quarantine Bay	L	QB 8 RB SU;SL 195 QQ	114	76087
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	113-D	76308
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	114-D	76587
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	115	79624
Cox Operating, L.L.C.	Quarantine Bay	L	QB 3 RB SU;SL 195 QQ	118	79777
Cox Operating, L.L.C.	Quarantine Bay	L	QB T RB SU;SL 195 QQ	121	80237
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	125	80573
Cox Operating, L.L.C.	Quarantine Bay	L	QB 9A RC SU;SL 195 QQ	127	80911
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	121-D	81088
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	134	81284
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	115-D	81436
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	139	81829
Cox Operating, L.L.C.	Quarantine Bay	L	QB 3 RB SU;SL 195 QQ	125-D	82072
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	118-D	82176
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	134-D	82359
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	139-D	82676

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	149	82678
Cox Operating, L.L.C.	Quarantine Bay	L	QB 7 RA SU;SL 195 QQ	152	82715
Cox Operating, L.L.C.	Quarantine Bay	L	QB 7 RB SU;SL 195 QQ	153	83018
Cox Operating, L.L.C.	Quarantine Bay	L	QB 9BC RC-2 SU;SL 195 QQ	149-D	83924
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	162	84243
Cox Operating, L.L.C.	Quarantine Bay	L	QB 7 RB SU;SL 195 QQ	161	84249
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	153-D	84591
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	152-D	85196
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	167	85359
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	162-D	85444
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	169	86532
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	167-T	86950
Cox Operating, L.L.C.	Quarantine Bay	L	QB 8 G RAE SU;SL 195 QQ	174	88903
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	177	89919
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	177-D	91188
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	174-D	91843
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	002	92028
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	002-D	92760
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	003	92761
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	004	93030
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	005	93761
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	006	94090
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	006	94153
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	003D	95061

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	003T	95062
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	004-D	95063
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	004-T	95064
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	004	96553
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 EB A	005	96554
Cox Operating, L.L.C.	Half Moon Lake	L	5900 B SUG;SL 2220	013	97121
Cox Operating, L.L.C.	Half Moon Lake	L	5900 B SUG;SL 2220	014-ALT	97279
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	015	97280
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	004-D	97372
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 EB A	005-D	97508
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	016	97721
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	013-D	98647
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	016-D	98843
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	183	99033
Cox Operating, L.L.C.	Half Moon Lake	L	5900 B SUI;SL 4147	009	99314
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	011	99498
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	183-D	100149
Cox Operating, L.L.C.	West Cameron Block 17	L	SL 3839	004	104903
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	029	106118
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	201	107013
Cox Operating, L.L.C.	Quarantine Bay	L	QB 4 RB SU;SL 195 QQ	197	107014
Cox Operating, L.L.C.	West Cameron Block 17	L	SL 3841	001	107676
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	197-D	108466
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	201-D	108773

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	206	109086
Cox Operating, L.L.C.	Quarantine Bay	L	QB 3 RB SU;SL 195 QQ	208	110419
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	208-D	111173
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	212	114727
Cox Operating, L.L.C.	Quarantine Bay	L	QB 3 RB SU;SL 195 QQ	215	115357
Cox Operating, L.L.C.	Quarantine Bay	L	QB 4 RB SU;SL 195 QQ	216	115358
Cox Operating, L.L.C.	Eloi Bay	L	SL 4147	002	117751
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	220	117854
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	222	117857
Cox Operating, L.L.C.	Quarantine Bay	L	QB R RA SU;SL 195 QQ	223	117969
Cox Operating, L.L.C.	Quarantine Bay	L	QB T RE SU;SL 195 QQ	224	117970
Cox Operating, L.L.C.	West Cameron Block 17	L	SL 3841	001-D	118102
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	225	118153
Cox Operating, L.L.C.	Quarantine Bay	L	QB 9A RC SU;SL 195 QQ	226	118341
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	220-D	118378
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	225-D	118652
Cox Operating, L.L.C.	Eloi Bay	L	SL 4147	002-D	118655
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	224-D	118689
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	226-D	118893
Cox Operating, L.L.C.	Half Moon Lake	L	HML 6070 RA SU;SL 4039	004	120964
Cox Operating, L.L.C.	Quarantine Bay	L	QB R RA SU;SL 195 QQ	233	121986
Cox Operating, L.L.C.	Eloi Bay	L	SL 4147	A-4	121994
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	233-D	122013

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	235	123010
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	237	123427
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	235-D	123471
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	238	123678
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	238-D	123679
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	239	123680
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	239-D	123681
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	237-D	123861
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	243	125467
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	243-D	125679
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	253	130847
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	254	131923
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	041	132082
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	041-D	132340
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	256	132523
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	258	133677
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	161-D	134460
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	167-D	135777
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	042	136653
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	029	136654
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	265	142617
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	266	143051
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	044	145865
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	008	145934

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Quarantine Bay	L	QB 9A RC SU;SL 195 QQ	109-D	147683
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	045	148651
Cox Operating, L.L.C.	Quarantine Bay	L	QB 9A RC SU;SL 195 QQ	273	150051
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	274	151580
Cox Operating, L.L.C.	Half Moon Lake	L	6100 RB SUA;SL 2220	046	152491
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	049	154997
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	280	156316
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	051	158190
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	280-D	158294
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	051-D	158833
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	283	159207
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	283-D	159525
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	285	159613
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	287	159958
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	288	159988
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	285-D	160110
Cox Operating, L.L.C.	Quarantine Bay	L	QB 8 H RAE SU;SL 195 QQ	287-D	160356
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	288-D	160585
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	290	160942
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	293	162119
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	300	162516
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	054	162730
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	009	162731

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	296	162827
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	055	162948
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	297	163210
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	293-D	163253
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	299	163840
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	057	164352
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	058	164353
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	277	164419
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	046-D	164639
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	046-T	164642
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	057-D	165050
Cox Operating, L.L.C.	Quarantine Bay	L	QB 8F RABE SU;SL 195 QQ	301	165630
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	304	166678
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	058-D	167305
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	010	167400
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	304-D	167656
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	010-D	167934
Cox Operating, L.L.C.	Quarantine Bay	L	7 RBG SUB;SL 195 QQ	307	169365
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	309	169411
Cox Operating, L.L.C.	Quarantine Bay	L	QB 4 RC SU;SL 195 QQ	310	169757
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	011	173068
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	049-D	173179
Cox Operating, L.L.C.	Quarantine Bay	L	QB 3 RB SU;SL 195 QQ	315	173785
Cox Operating, L.L.C.	Quarantine Bay	L	QB 3 RB SU;SL 195 QQ	316	173786

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	319	174035
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	311	174314
Cox Operating, L.L.C.	Quarantine Bay	L	QB 3 RB SU;SL 195 QQ	312	174315
Cox Operating, L.L.C.	Quarantine Bay	L	QB 3 RB SU;SL 195 QQ	313	174316
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	011-D	174368
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	322	176402
Cox Operating, L.L.C.	Eloi Bay	L	SL 4147 K	001	176559
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	324	176891
Cox Operating, L.L.C.	Eloi Bay	L	St of LA JOA MMMM	002	183634
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	059	184916
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	060	184917
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	061	184918
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	040	184919
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	062	184962
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	063	185983
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	060-D	186375
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	061-D	186376
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	066	186783
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	068	186785
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	059-D	187363
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	072	187502
Cox Operating, L.L.C.	Half Moon Lake	L	6600 RA SUD;SL 2220	073	187504
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	012	187505
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	066-D	187782

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	046	188042
Cox Operating, L.L.C.	Half Moon Lake	L	6600 SUB;SL 2220	080-ALT	188142
Cox Operating, L.L.C.	Half Moon Lake	L	5900 B RA SUL;SL 2220	080-D	188143
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	072-D	188752
Cox Operating, L.L.C.	Half Moon Lake	L	6020 RA SUA;SL 2220	073-D	189110
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	075	189253
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	075-D	189452
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	046-D	189458
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	047	189459
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	047-D	189460
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	048	189461
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	048-D	189462
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	012-D	189747
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4147	019	190357
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	082	190732
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	088	190733
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4147	019-D	190738
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	087	190782
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	090	190831
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	092	190832
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	051	190833
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	052	191179
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	053	191296
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	341	191310

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	87-D	191311
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	094	191335
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	342	191378
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	083	191612
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 EB A	006	191684
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	012	191685
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	013	191686
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	083-D	192181
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	100	193094
Cox Operating, L.L.C.	Eloi Bay	L	SL 4147	023	193095
Cox Operating, L.L.C.	Eloi Bay	L	SL 4147	025	193279
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	020	193280
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	057	193715
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	110	193986
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	113	194696
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	115	194697
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	116	194732
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	117	194835
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	110-D	194858
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	013-D	194860
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	014	195188
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	016	195190
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	020-D	195531
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	116-D	196625

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Half Moon Lake	L	SL 11499	001	196644
Cox Operating, L.L.C.	Half Moon Lake	L	Lake Eugenie Land & Devel Co	002	197049
Cox Operating, L.L.C.	Half Moon Lake	L	6100 SUB;SL 2220	119	197245
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	056	197278
Cox Operating, L.L.C.	Eloi Bay	L	SL 4147	028	197752
Cox Operating, L.L.C.	Half Moon Lake	L	6020 RB SUA;SL 2220	119DAL T	198023
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 EB A	007	201743
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 EB A	008	201744
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 EB A	010	202445
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	121	203232
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	121-D	203233
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	123-D	203241
Cox Operating, L.L.C.	Chandeleur Sound Block 71	L	BIG 2 RA SUA;SL 6618	001	206552
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	343	206824
Cox Operating, L.L.C.	Half Moon Lake	L	5900 B SUE;SL 2220	101-ALT	207228
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	103	207229
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	058	207230
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	102	209407
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	059	209408
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	105	209425
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	131	211722
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	022	211723
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4147	029	211724
Cox Operating, L.L.C.	Eloi Bay	L	JOA TTTT	001	212244

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	124	212475
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	125	212476
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	128	212478
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	129	212479
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	126	212576
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	131-D	212594
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	348	212623
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	124-D	212723
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	125-D	212781
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	132	212802
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	142	212803
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	126-D	212876
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	133	212922
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	132-D	212932
Cox Operating, L.L.C.	Half Moon Lake	L	5900 B SUC;SL 2220	142DAL T	213127
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	128-D	213165
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	063	215264
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	154	215291
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	153	215300
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	155	215301
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 EB A	011	215312
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 EB A	012	215324
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 EB A	011-D	215398
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	155-D	215441

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	019	215462
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	153-D	215474
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	154-D	215547
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	135	215592
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	064	215593
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221 EB B	019-D	215596
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	024	215602
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	063-D	215637
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	024-D	215692
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	025	215804
Cox Operating, L.L.C.	Eloi Bay	L	SL 2221	064-D	215867
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	023	215980
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	025-D	215995
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	023-D	216222
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	357	216230
Cox Operating, L.L.C.	Chandeleur Sound Block 71	L	5900 RA SUA;SL 12503	001	217064
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	026	217324
Cox Operating, L.L.C.	Half Moon Lake	L	SL 2220	136	217371
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	358	217850
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	359	218003
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	360	218311
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	360-D	218691
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	361	218752
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	156	221570

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220	156-D	221745
Cox Operating, L.L.C.	West Cameron Block 17	L	SL 3841	006	222708
Cox Operating, L.L.C.	West Cameron Block 17	L	SL 3841	007	223215
Cox Operating, L.L.C.	Quarantine Bay	L	S-4 VUA;SL 1349	002	223336
Cox Operating, L.L.C.	West Cameron Block 17	L	SL 3840	5	224039
Cox Operating, L.L.C.	West Cameron Block 17	L	WCAM B17 SU;SL 3840	6	224197
Cox Operating, L.L.C.	Quarantine Bay	L	S-4 VUA;SL 1349	2-D	224345
Cox Operating, L.L.C.	Half Moon Lake	L	6600 RC SUA;SL 16158	001	225117
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	363	225892
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	364	225970
Cox Operating, L.L.C.	Quarantine Bay	L	SL 1349	001	226345
Cox Operating, L.L.C.	Mound Point	L	OPERC 2 RB SUA;SL 340	114	227770
Cox Operating, L.L.C.	Half Moon Lake	L	4650 RA SUA;LE D SL 17002	001	228337
Cox Operating, L.L.C.	Quarantine Bay, South	L	SL 195 QQ	365	242846
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	366	244584
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ	043	244641
Cox Operating, L.L.C.	Half Moon Lake	L	SL 4039	013	244853
Cox Operating, L.L.C.	Half Moon Lake	L	6600 RC SUA;SL 16158	002-ALT	244940
Cox Operating, L.L.C.	Half Moon Lake	L	6600 RC SUA;SL 16158	003-ALT	247123
Cox Operating, L.L.C.	Half Moon Lake	L	6600 RC SUA;SL 16158	004-ALT	247124
Cox Operating, L.L.C.	Johnsons Bayou, West	L	Sabine Pass Terminal SWD	001	972327
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ SWD	001	972560
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 SWD	001	972594

Operator	Field	District	Well Name	Well Number	Serial Number
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ SWD	002	972620
Cox Operating, L.L.C.	Quarantine Bay	L	SL 195 QQ SWD	003	972621
Cox Operating, L.L.C.	Eloi Bay	L	SL 2220 SWD	002	972625
Jerry M. Smith	Trenton	S	XIT Inc	001	225827 (24)
Louisiana Petroleum LLC	Bancroft, North	L	NBA SAB A 2 NVU;Sabine R/L A	002	40310
Louisiana Petroleum LLC	Bancroft, North	L	Sabine Lumber CO SWD	006	41512
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Louisiana Petroleum LLC	Bancroft, North	L	Sabine Riv LBR Co A	009	43502
Louisiana Petroleum LLC	Bancroft, North	L	Sabine Riv LBR Co A	010	43983
Louisiana Petroleum LLC	Bancroft, North	L	VUA;Sabine-LBR-State	001	44319
Louisiana Petroleum LLC	Bancroft, North	L	Sabine Riv LBR Co A	012	81957
Louisiana Petroleum LLC	Bancroft, North	L	Boise Price S0 Newsprint SWD	001	169449
Palmetto Oil Co., Inc.	Rogers	M	Flaherty SWD	002	63093
Palmetto Oil Co., Inc.	Rogers	M	WX A RB SUJ;Flaherty A	001	164744
Palmetto Oil Co., Inc.	Rogers	M	Kelly	002	170899
Palmetto Oil Co., Inc.	Long Slough	M	WX A RA SUB;ETD	001	216089
Palmetto Oil Co., Inc.	Rogers	M	WX C RB SUJ;Flaherty A	003	217344
Palmetto Oil Co., Inc.	Long Slough	M	ETD SWD	003	218203
Palmetto Oil Co., Inc.	Rogers	M	WX D RB SUJ;Flaherty A	004	221705
Palmetto Oil Co., Inc.	Rogers	M	Charles Kelly et al	001	231487
Palmetto Oil Co., Inc.	Rogers	M	Charles Kelly et al SWD	002	231488



Operator	Field	District	Well Name	Well Number	Serial Number
PEL-TEX Oil Company, Inc.	Clam Bay	L	Orleans Levee Board	001	151496 (30) - pilings and cribbing
PEL-TEX Oil Company, Inc.	Wildcat-SO LA New Orleans Dis	L	Orleans Levee Board	002	152451(29) - pilings and cribbing

Steven M. Giambrone  
Interim Commissioner

2510#032

**POTPOURRI**

**Louisiana Economic Development  
Office of Economic Development**

Notice of Public Hearing  
Request for Comments on Rulemaking

In compliance with R.S. 49:964(B), and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., Louisiana Economic Development will hold a public hearing for the purpose of receiving comments on any rule of the agency on Wednesday, December 3, 2025, at 1:30 p.m. in the La Belle Room located on the first floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

At the public hearing, all interested persons will be afforded an opportunity to submit comments either orally or in writing, regarding those rules the person believes are contrary to law, outdated, unnecessary, overly complex, or burdensome.

Written comments may be submitted to Stephanie Le Grange via email at: Stephanie.Legrange@la.gov or via certified mail to Legal Department - Stephanie Le Grange, Louisiana Economic Development, P.O. Box 94185, Baton Rouge, LA 70804. All written comments must include the name, contact information and signature of the person submitting the comments and must be received no later than 5 p.m. Tuesday, December 2, 2025. Louisiana Economic Development will consider fully all written and oral comments. However, only written comments received by the agency will be included in the department’s report to the legislative oversight committees.

The hearing site is accessible to persons using wheelchairs or other mobility aids via the LaSalle Street entrance. If other reasonable accommodations are required in order to participate in the hearings, please contact Deborah Simmons at (225) 342-5398 at least five business days prior to the scheduled hearing.

Anne G. Villa  
Deputy Secretary/CFO

2510#050

**POTPOURRI**

**Board of Elementary and Secondary Education**

Notice of Public Hearing on Proposed Rule  
Child Safety and Welfare  
(LAC 28:CLXI.Chapters 1-21;  
LAC 28:CLXV.103, 310, 503, and 507)

Act 409 of the 2025 Regular Legislative Session amended certain regulations for early learning centers. In August of 2025, the Board of Elementary and Secondary Education approved, as a Notice of Intent, revisions to *Bulletin 137—Louisiana Early Learning Center Licensing Regulations* and *Bulletin 139—Louisiana Child Care and Development Fund Programs* to align with current statute. The Notice of Intent was published on pages 1376-1382 of the September 20, 2025, issue of the *Louisiana Register*. A request for a public hearing regarding the aforementioned Notice of Intent was received.

**Public Hearing**

In accordance with R.S. 49:953.A(2)(a) and R.S. 49:953.A(2)(b)(i), a public hearing will be held on October 30, 2025, at 9 a.m. in the Claiborne Building, Room 1-100 (The Louisiana Purchase Room), 1201 North Third Street, Baton Rouge, LA 70802. Interested persons are invited to attend.

Tavares A. Walker  
Executive Director

2510#082

**POTPOURRI**

**Board of Elementary and Secondary Education**

Notice of Public Hearing  
Request for Comments on Rulemaking

Pursuant to Act No. 663 of the 2022 Regular Session of the Louisiana Legislature, codified as R.S. 49:964(B), and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Board of Elementary and Secondary Education (BESE) hereby gives notice that a public hearing will be held on December 10, 2025, at 11 a.m. in the Claiborne Building, Room 1-153 (The Iowa Room), 1201 North Third Street, Baton Rouge, LA 70802, for the purpose of receiving comments from any interested person regarding any BESE rule contained in the *Louisiana Administrative Code*, Title 28, that may be contrary to law, outdated, unnecessary, overly complex, or burdensome.

Interested persons are invited to attend and submit oral or written comments. BESE will consider all written and oral comments; however, only written comments received by BESE will be included in the report submitted to the Louisiana legislative oversight committees. Written comments must be hand-delivered or mailed to the BESE office. Hand-delivered comments must be date-stamped by

BESE office staff on the date received. Comments sent via U.S. Mail must be dated and must include the original signature of the person submitting the comments. If mailing, please send to: Tavares A. Walker, Executive Director, Board of Elementary and Secondary Education, P.O. Box 94064, Capitol Station, Baton Rouge, LA 70804. For hand-delivered comments, the BESE office is located at: 1201 North Third Street, Baton Rouge, LA in the Claiborne Building, Suite 5-190. All comments must be received no later than 4 p.m. on December 8, 2025.

To request reasonable accommodations for persons with disabilities, please call the board office at (225) 342-5840, no later than 4 p.m. on December 2, 2025.

Tavares A. Walker  
Executive Director

2510#051

**POTPOURRI**  
**Office of the Governor**  
**Coastal Protection and Restoration Authority**

Fiscal Year 2027 Draft Atchafalaya Basin Program  
Annual Plan

The Coastal Protection and Restoration Authority (CPRA) will hold the following public hearings to receive public comments on Louisiana's "Fiscal Year 2027 Draft Atchafalaya Basin Program Annual Plan."

Wednesday, November 12, 2025	5:30 p.m.	Cecilia Branch Library 2460 Cecilia Sr H South Hwy, Breaux Bridge, LA 70517
Thursday, November 13, 2025	5:30 p.m.	Iberville Parish Courthouse 2nd Floor Council Chambers 58050 Meriam St Plaquemine, LA 70764

CPRA will receive written comments and recommendations on the Fiscal Year 2027 Draft Atchafalaya Basin Program Annual Plan until December 3, 2025. Written comments should be mailed (to arrive no later than December 3, 2025) to the following address:

Coastal Protection and Restoration Authority  
ABP Public Comments  
150 Terrace Avenue  
Baton Rouge, LA 70802

If, because of a disability, you require special assistance to participate, please contact the CPRA Administrative Assistant at 150 Terrace Avenue, Baton Rouge, LA 70802 or by telephone at (225) 342-7308 at least five working days prior to the hearing.

Interpretation and translation services can also be provided upon request by contacting [coastal@la.gov](mailto:coastal@la.gov).

Please visit [coastal.la.gov/calendar/](http://coastal.la.gov/calendar/) for more detailed information and copies of the Fiscal Year 2027 Draft Atchafalaya Basin Program Annual Plan which will be posted prior to the public hearings.

For questions regarding the hearings, please email [atchafalayabasin@la.gov](mailto:atchafalayabasin@la.gov) or call (225) 342-7308.

Ryan Shaw  
Communications Director

2510#038

**POTPOURRI**  
**Department of Health**  
**Board of Dentistry**

Notice of Public Hearing  
Request for Comments on Rulemaking

The Board of Dentistry hereby gives notice of a public hearing pursuant to R.S. 49:953(C)(2)(a) (Act 454 of the 2018 Regular Legislative Session) for the purpose of allowing any interested person the opportunity to comment on any rule of the board which the person believes is contrary to law, outdated, unnecessary, overly complex, or burdensome.

The hearing will take place at the Rex Room, 8<sup>th</sup> Floor, at the JW Marriott, 614 Canal Street, New Orleans, LA 70130 following the annual meeting of the Louisiana State Board of Dentistry, which commences on December 5, 2025, at 12 p.m.

To request reasonable accommodations for persons with disabilities call the board office at 225-219-7334.

Please direct any views, if in writing, regarding the board's rules, to Arthur Hickham, Jr. at P.O. Box 5256, Baton Rouge, LA 70821-5256. Deadline for submitting written comments is November 28, 2025.

Oral comments regarding the board's rules will be considered, but in order to be submitted to the legislative oversight committees the comments must be in writing.

Arthur F. Hickham, Jr.  
Executive Director

2510#028

**POTPOURRI**  
**Department of State**  
**Office of the Secretary of State**

Notice of Public Hearing  
Request for Comments on Rulemaking

In compliance with R.S. 49:964(B), the Department of State gives notice that a public hearing will be held on December 11, 2025 at 9 a.m. at the Division of Administrative Law, located at 1020 Florida Street, Baton Rouge, Louisiana 70802, for the purpose of receiving comments from all interested persons regarding any rule of the Department of State and its divisions, which the person believes is contrary to law, outdated, unnecessary, overly complex, or burdensome. All interested persons will be afforded an opportunity to submit data, views, or arguments either orally or in writing regarding Department of State rules only. The Department of State will consider fully all written and oral comments. For comments to be submitted to the legislative

oversight committees, individuals will be asked to submit their comment in writing and include their name, contact information, and signature. The hearing site is accessible to people using wheelchairs or other mobility aids. If you have a disability and require further accommodation to participate in the hearing, please contact Tray Wood by email at [legal@sos.la.gov](mailto:legal@sos.la.gov) or by telephone at 225-287-7479 to discuss your accessibility needs.

Additionally, all interested persons are invited to submit written comments, data, opinions and arguments regarding any rule of the Department of State and its divisions via U.S. Mail, hand-delivery, or email. All written public comments must be dated and include the signature and contact information of the person submitting the comment and must be received no later than 4:30 p.m. on December 11, 2025. The Department of State will only consider and review those comments received at the public hearing or those written comments transmitted and timely received via U.S. Mail, hand-delivery, or email prior to the deadline. Any mailed, handwritten, or emailed comments are to be submitted to Tray Wood, General Counsel, [legal@sos.la.gov](mailto:legal@sos.la.gov), Department of State, P.O. Box 94125, Baton Rouge, Louisiana 70804-9125.

In accordance with law, the Department of State shall issue a response to each submission describing the principal advantages and disadvantages of the rule changes suggested in the submission. In addition, the Department of State may prepare a statement explaining the basis and rationale for the rule in question identifying the data and evidence upon which the rule is based. All such statements and responses to submissions shall be furnished to the respective legislative oversight committees and shall be made available to interested persons as soon as possible but no later than one day following their submission to the appropriate oversight committees.

Tray Wood  
General Counsel

2510#024

## POTPOURRI

### Department of Transportation and Development Louisiana Transportation Authority

Public-Private Partnership (P3) Service Contract  
Opportunity

#### Operation and Maintenance of the Cameron Ferry Service

State Project No. H.972598  
Calcasieu Ship Channel on La 27 between  
Cameron and Holly Beach  
Cameron Ferry Operations—Cameron Parish

The Louisiana Transportation Authority (LTA) is announcing its intent to enter into a P3 Service Contract pursuant to R.S. 48:2084.1 with a private entity for the above-captioned project.

On August 25, 2025, LabMar Ferry Services, LLC submitted an unsolicited proposal to privatize operations of the Department of Transportation and Development's (DOTD) Cameron Ferry Service. At its meeting on September 10, 2025, the LTA opted to proceed with a 90-day (minimum)

competitive solicitation, and accordingly, is advertising the opportunity for interested parties to submit competitive proposals.

The Cameron Ferry Service has been operating for over 50 years at the crossing of the Calcasieu Ship Channel on LA 27 between Cameron and Holly Beach. This Service is typically operated 24 hours per day with a pause in service nightly for routine maintenance.

Selection of a successful proposer will be made pursuant to the process described in a Request for Competitive Proposals (RFCP). Recipients of the RFCP will have the opportunity to submit competitive proposals to DOTD, which is acting on behalf of the LTA. The RFCP will provide details on how to participate in this opportunity, including all elements required by R.S. 48:2084(B) and the LTA P3 Guidelines. The execution of a P3 Service Contract is dependent on the availability of funding and is at the discretion of the LTA and DOTD.

Submission of a competitive proposal will require the following (additional requirements and details can be found in the RFCP):

- A non-refundable proposal review fee of \$10,000 is required to submit a competitive proposal. Payment of the proposal review fee is not required to submit a Letter of Interest (LOI).
- Satisfaction of all applicable requirements provided by statute and by public guidelines adopted by the LTA, including those contained in R.S. 48:2084(B) and the LTA P3 Guidelines.
- A detailed description of the proposed plans for the operations and maintenance of the Cameron Ferry Service.
- Information concerning the proposer's experience, past performance and organization.

Entities interested in receiving the RFCP should submit an LOI to [CameronFerryLTA@la.gov](mailto:CameronFerryLTA@la.gov).

The LOI should include the following:

- Firm name(s) of the proposer and team members (if any).
- Contact information (name, telephone number, physical address, and email address) for the proposer's official point of contact.

The deadline for the submission of competitive proposals is December 29, 2025. Entities that provide DOTD with an LOI before the competitive proposal deadline will be issued login credentials to access the RFCP and other relevant information. Submission of a timely LOI is a prerequisite for the submission of a competitive proposal.

Entities that timely provide DOTD with an LOI will be placed on a list of interested firms posted to the LTA Projects section of the DOTD website (<https://www.dotd.la.gov/about/office-of-the-secretary/louisiana-transportation-authority/lta-projects/>).

#### Public Comments

All correspondence with the LTA and DOTD on matters concerning this NOI and the RFCP for a potential P3 Service Contract should be made in writing to [CameronFerryLTA@la.gov](mailto:CameronFerryLTA@la.gov).

Glenn P. Ledet, Jr.  
Secretary

2510#014

**POTPOURRI**

**Department of Transportation and Development  
Professional Engineering and Land Surveying Board**

Notice of Public Hearing  
Request for Comments on Rulemaking

Under the authority of R.S. 49:964(B), and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Louisiana Professional Engineering and Land Surveying Board will hold a public hearing on December 9, 2025 at 3 p.m. at the board office, which is located at 8550 United Plaza Boulevard, Suite 903, Baton Rouge, LA 70809-2296. The purpose of the hearing is to allow any interested person the opportunity to comment on any rule of the board which such person believes is contrary to law, outdated, unnecessary, overly complex or burdensome.

Interested persons are invited to attend and to submit oral or written comments at the hearing. Additionally, interested persons are invited to submit written comments in advance of

the hearing to Donna D. Sentell, Executive Director, Louisiana Professional Engineering and Land Surveying Board, 8550 United Plaza Boulevard, Suite 903, Baton Rouge, LA 70809-2296. All written comments must be dated, must include the name and contact information of the person submitting the comments and must be received no later than December 5, 2025 at 4:30 p.m. if the person submitting is not in attendance. The board will consider all oral and written comments received from those in attendance at the hearing, as well as those written comments submitted in advance which are timely received. Oral comments must be submitted to the board in writing as outlined above in order to be submitted to the legislative oversight committees.

Any individual who needs special assistance or reasonable accommodations in order to attend or speak at the hearing should notify Donna D. Sentell at (225) 925-6291 no later than December 5, 2025 at 4:30 p.m.

Donna D. Sentell  
Executive Director

2510#022

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