

**April 2020**

**Economic Impact Statements for Proposed Rules**

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

<b>Promulgating Agency</b>	<b>Proposed Rule Title</b>	<b>Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups</b>
<b>Board of Ethics</b>	<b>Food and Drink Limit</b>	The proposed action will affect all public employees and public servants by setting a standard monetary limit on the receipt of food and drink.
<b>Department of Environmental Quality</b>	<b>Definition of Treatment</b>	There is no impact on anticipated costs and/or economic benefits to directly affected persons, small businesses, or non-governmental groups as a result of the proposed rule. Entities will still be required to adhere to the definition of “treatment” as defined in LAC 33:V.109.
<b>Board of Dentistry</b>	<b>General Provisions</b>	<p>The proposed rule change will directly affect any post-doctoral dental education program other than LSU, allowing residents in non-LSU programs to obtain a restricted dental license rather than a full license. The restricted license is less expensive than a full license (see Part II, paragraph 2) and allows residents to practice dentistry only within the residency program, but will still result in residents paying \$200 for a yearlong license or \$100 for a six-month license. There are currently no post-doctoral dental programs in Louisiana other than LSU, but the Board has been informed that there are plans to open one in the near future. The proposed rule change will benefit residents in prospective residency programs who wish only to train in Louisiana and do not wish to have a full license, as it will result in a fee savings for residents, though they will still have to remit the aforementioned fees for a restricted license.</p> <p>The proposed rule change also repeals the requirement that LSU faculty members must switch from a restricted license to a full license within 2 years of being employed at LSU if the faculty member is eligible for a full license. This may result in a savings of license fees for some LSU faculty members, as the restricted license fee is lower than the full license fee.</p>

<b>Promulgating Agency</b>	<b>Proposed Rule Title</b>	<b>Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups</b>
<b>Board of Pharmacy</b>	<b>Automated Medication Systems</b>	There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups as a result of the proposed policy revisions. To the extent a pharmacy elects to place an AMS in a healthcare setting and supply the medications for use in the system, the proposed rule change will expand the types of locations where such devices can be placed. The proposed rule changes allow for AMS devices to be placed in state and local correctional facilities and unlicensed healthcare settings. Systems are available in a variety of configurations and the prices vary considerably. The requirement for temperature monitoring of the drug storage areas may or may not increase the total cost of operating a system. The use of such devices could reduce the amount of drug wastage in the location housing the system, which could lower the total cost of drugs used by the facility housing the system.
<b>Board of Pharmacy</b>	<b>Marijuana Pharmacy</b>	The proposed rule change will allow the pharmacist at a marijuana pharmacy to dispense a single container that may contain more or less than a one-month supply of marijuana. In addition, marijuana pharmacies will be allowed to dispense prescription drugs that are not classified as controlled substances. That allowance may improve the economic viability of marijuana pharmacies, which are currently restricted to marijuana products, over-the-counter medications, and other retail items.
<b>Board of Pharmacy</b>	<b>Pharmacist License Display</b>	The proposed rule change will relieve a pharmacist from the obligation to publicly display their current license renewal or a copy thereof.
<b>Board of Pharmacy</b>	<b>Prescription Monitoring Program</b>	Pharmacies are already required to report their dispensing transactions for controlled substances and drugs of concern to the state prescription monitoring program. Pharmacies which dispense any of the listed drugs in Part I will need to update their dispensing information system to classify the listed drugs as Drugs of Concern so the dispensing transactions for those listed drugs will be included in their daily reports to the state prescription monitoring program. For some providers, there may be no cost to re-classify those drugs in their dispensing information system. Other providers may need to incur an indeterminable cost to perform that process that is anticipated to be nominal.

<b>Promulgating Agency</b>	<b>Proposed Rule Title</b>	<b>Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups</b>
<b>Department of Health</b>	<b>Dental Benefits Prepaid Ambulatory Health Plan--Network Provider Reimbursement</b>	This proposed rule, in compliance with Act 10 of the 2019 Regular Session of the Louisiana Legislature, continues the provisions of the March 23, 2020 Emergency Rule which amended the provisions governing the dental benefits prepaid ambulatory health plan in order to increase reimbursement rates for dental exams for children under three years of age and restorative dental services provided to Medicaid recipients. This proposed Rule will be beneficial to recipients by ensuring continued access to necessary dental services. Small businesses and dental providers will also benefit from the increased reimbursement for the provision of these services. It is anticipated that implementation of this proposed rule will result in programmatic costs to the Medicaid program of \$7,771,343 in FY 19-20, \$8,004,483 in FY 20-21 and \$8,244,618 in FY 21-22.
<b>Department of Health</b>	<b>Pregnant Women Extended Services Tobacco Cessation Counseling</b>	This proposed rule amends the provisions governing tobacco cessation counseling for pregnant women in order to allow additional sessions in excess of established service limits when deemed medically necessary. This Rule will have a positive impact on recipients, providers of tobacco cessation counseling services, and small businesses. It is anticipated that implementation of this proposed Rule may result in an indeterminable increase in payments to providers of tobacco cessation counseling services in FY 20-21 and FY 21-22.
<b>Department of Insurance</b>	<b>Regulation 112—Adoption of NAIC Handbooks, Guidelines, Forms, and Instructions</b>	The proposed rule changes will benefit persons and entities seeking to know which handbooks or guidelines are currently being incorporated by reference to serve as professional guidance for entities under the purview of the LA Dept. of Insurance (LDI). These handbooks and guidelines will be available for public viewing in hardcopy form at the offices of the LDI and Office of State Register and online at the NAIC website.
<b>Department of Insurance</b>	<b>Rule 4—Interlocal Risk Management Agency</b>	There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups. The proposed rule provides for the expansion of the types of investments in which an Interlocal Risk Management Agency could invest to include selected investments permitted under La. R.S. 33:2955 and adopts provisions and uniform guidelines for their interpretation as authorized specifically by Act 462 of the 1979 Session of the Legislature.
<b>Office of Alcohol and Tobacco Control</b>	<b>Vapor Products Public Safety Regulations</b>	The proposed rules generally outline the requirements of retailers selling vapor products, but include annual permitting requirements for retailers with associated fees of \$25. Furthermore, the proposed rules outline prohibited acts and safety requirements, require open inspections of premises by ATC, require age verification of persons purchasing vapor products, and prohibit sales to minors.

<b>Promulgating Agency</b>	<b>Proposed Rule Title</b>	<b>Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups</b>
<p align="center"><b>Department of Transportation and Development</b></p>	<p align="center"><b>Flood Control and Water Management</b></p>	<p>The proposed rule changes are not anticipated to create costs to directly affected persons, small businesses or non-governmental groups. The proposed rule changes may create additional opportunities for economic benefits for small and large businesses as the department anticipates a greater number of small projects will be bid, increasing the number of construction contracts awarded. However, the aggregate expenditure will still be limited by annual appropriation, and a greater number of small projects will be offset by decreased funds made available for large contract awards.</p>