

October 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 October 20, 2020 *Louisiana Register*. Each *Louisiana Register* edition is published on the 20th of each month and can be viewed here: <https://www.doa.la.gov/Pages/osr/reg/regs2020.aspx>

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Department of Agriculture and Forestry	Commercial Weighing and Measuring Device; Meat Labeling; and Fuel Price Advertising	The proposed rule changes are not anticipated to increase costs to the market. The change to LAC 7:XXXV.127.A will transfer the responsibility of registration to the owner of the device rather than the user of the device in most applications. The change to LAC 7:XXXV.127.D. eliminates the need for scanning devices to be registered by make, model, and serial number. The elimination of LAC 7:XXXV.135 is needed because the section is outdated and in conflict with USDA Country of Origin Law.(COOL) (7 CFR Part 60 & 65). The change in LAC 7:XXXV.321 clarifies how a retailer must display a price for fuel if they advertise with a “street” sign. Retailers will not be required to purchase or have a street sign.
Department of Agriculture and Forestry	Truth in Labeling of Food Products	The proposed rule is not anticipated to increase costs to the market. Producers of food products and agricultural products that are misbranded and/or misrepresented as beef, pork, poultry, alligator, farm-raised deer, turtle, domestic rabbit, crawfish, shrimp, sugar, and/or rice and do not meet the criteriaset forth in these regulations may have a loss in receipts and/or income until such time that their labelling comes into compliance with these regulations.
Department of Children and Family Services	Extended Foster Care Services	The proposed rule provides an economic benefit to foster children, age 18-21 during their transition to adulthood. This rule allows these youth to continue in foster care for the purpose of receiving educational or job training. Additional education and training will positively impact their employability and lifetime earning potential. Also, certain youth that were placed in guardianship or adopted at age 16 or over will continue to receive a subsidy from age 18-21. The average subsidy for adoption assistance is \$348 per month. The average subsidy for guardianship assistance is \$302 per month.
Department of Children and Family Services	Vulnerable Communities and Peoples Initiative	Implementation of this proposed rule is not anticipated to have a cost or direct economic benefit to small businesses or non-governmental groups. This rule is anticipated to help alleviate poverty for those participating in the initiative.
Board of Regents	Scholarship/Grant Programs Hurricane Laura Exceptions and Deferments	Displaced students will be directly and positively affected by the proposed rule. The proposed rule will ensure students are not made ineligible for a TOPS, Rockefeller State Wildlife Scholarship or GO Youth Challenge award or endure an economic hardship due to repayment of a Rockefeller State Wildlife Grant or TOPS Teacher award due solely to the consequences of Hurricane Laura. There are no estimated effects or economic benefits to non-governmental groups resulting from these measures.
Crime Victims Reparations Board	Compensation to Victims	It is estimated that implementation of the proposed rule will not directly affect persons, small businesses or non-governmental groups. The adoption of the rule seeks to clarify the situations in which applicants for reparations would not be approved.
Board of Medical Examiners	Adjudication; Practice	It is not anticipated that the proposed amendments will have a material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Board of Medical Examiners	Licensure and Certification; Physicians	It is not anticipated that the proposed amendments will have a material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups.
Board of Medical Examiners	Provisional Temporary Permits	It is not anticipated that the proposed amendments will have a material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups.
Board of Medical Examiners	Licensure and Application	It is not anticipated that the proposed amendments will have a material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups.
Board of Medical Examiners	Licensure and Certification	It is not anticipated that the proposed amendments will have a material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups. Allowing the history and physical to be done by certain advanced practice podiatrists should actually streamline the delivery of health care.
Board of Medical Examiners	Physician Licensure and Certification	The proposed rule changes may benefit persons seeking employment at an academic medical center with limited practice abilities by allowing them a process to obtain a discretionary waiver to practice in an academic medical center. Otherwise, the proposed rule changes are not anticipated to have a material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups.
Board of Medical Examiners	Rules of Procedure; Complaints and Investigations	It is not anticipated that the proposed amendments will have a material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups.
Board of Medical Examiners	Rules of Procedure; Complaint Disposition Guidelines	It is not anticipated that the proposed amendments will have a material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups.
Board of Medical Examiners	Rules of Procedure; Petitions for Rulemaking	It is not anticipated that the proposed amendments will have a material effect on costs, paperwork or workload of, and/or the receipts and/or income of, affected persons, small businesses, or non-governmental groups, including physicians or other health care providers licensed by the LSBME.
Board of Pharmacy	Licensing for Military Families	The proposed rule changes may allow certain dependents of military families to obtain an occupational license sooner than currently possible.
Board of Pharmacy	Marijuana Recommendations	The proposed rule changes expand the number of physicians authorized to issue marijuana recommendations and reduces the number of credentials required for them to issue such recommendations. The proposed rule changes also reduce some redundant recordkeeping requirements in marijuana pharmacies.
Board of Pharmacy	Pharmacy Benefit Managers	The proposed rule will require a PBM operating within the state to obtain and maintain a PBM permit from LBP at a cost of \$500 per year.
Department of Health	Federally Qualified Health Centers	The proposed Rule amends the provisions governing federally qualified health centers in order to ensure the language reflects current practices and promulgate these provisions clearly in the Louisiana Administrative Code, and to remove procedural language from the administrative Rule. This rule is anticipated to have no impact on recipients. It is anticipated that implementation of this proposed rule will not result in any economic impact to Medicaid providers or small businesses in FY 20-21, 21-22, and 22-23, but will be beneficial in ensuring that the provisions are presented clearly and accurately.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Department of Health	Home and Community-Based Services Providers—Licensing Standards	This proposed Rule continues the provisions of the September 21, 2020 Emergency Rule which adopted provisions to allow licensed home and community-based services (HCBS) providers to operate outside of their licensed geographic areas to existing clients who have evacuated or temporarily relocated to another location in the state due to a gubernatorial declared state of emergency or disaster in Louisiana. This Rule will have a positive impact on clients by assuring continued access to home and community-based services during a declared emergency or disaster. This proposed rule may be beneficial to small businesses and providers by allowing them to continue to provide services during a declared emergency or disaster. It is anticipated that implementation of this proposed rule will not result in costs to the State or to HCBS providers for FY 20-21, FY 21-22 and FY 22-23.
Department of Health	Professional Services Program	This proposed rule amends the provisions governing the Professional Services Program in order to remove specific clinical information and procedural language from the administrative Rule to reflect current practices and ensure that the provisions are promulgated clearly and accurately in the Louisiana Administrative Code. It is anticipated that implementation of this proposed rule will not result in costs to the Professional Services Program in FY 20-21, FY 21-22 and FY 22-23, but will be beneficial by providing accurate, clearly identified program requirements.
Department of Health	Professional Services Program—Immunizations	The Department of Health, Bureau of Health Services Financing proposes to amend the provisions governing immunizations in the Professional Services Program in order to ensure that the language in the administrative Rule reflects current practices and is promulgated clearly and accurately in the Louisiana Administrative Code. It is anticipated that implementation of this proposed rule will not result in costs to the Professional Services Program in FY 20-21, FY 21-22 and FY 22-23, but will be beneficial by providing accurate and clearly identified program requirements.
Department of Health	Rural Health Clinics	This proposed Rule amends the provisions governing rural health clinics to ensure the language reflects current practices and is promulgated clearly and accurately in the Louisiana Administrative Code and to remove procedural language from the administrative Rule. This rule is anticipated to have no impact on recipients. It is anticipated that implementation of this proposed rule will not result in any economic impact to Medicaid providers or small businesses in FY 20-21, 21-22, and 22-23, but will be beneficial in ensuring that the provisions are presented clearly and accurately.
Office of Public Health	Public Health—Sanitary Code Disease Reporting Requirements	The estimated costs to directly affected persons or nongovernmental groups is expected to be negligible. Hospitals, clinics, laboratories, and other facilities that report infectious diseases may be affected by the proposed rule. Due to the addition of disease to the list of reportable conditions, there may be a slight increase in workload to support these reporting requirements. Most of the added conditions are uncommon and will not result in a substantial increase in reporting effort. Additionally, some diseases will now only be reportable by laboratories, rather than all healthcare facilities, reducing some of the overall burden of reporting.
Department of Insurance	Regulation 39—Statement of Actuarial Opinion	There are no estimated costs and/or economic benefits to directly affected persons or nongovernmental groups.
Department of Insurance	Regulation 42—Group Self-Insurance Funds	There are no estimated costs and/or economic benefits to directly affected persons or nongovernmental groups.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Department of Natural Resources	Class VI Injection Wells	There will be positive economic benefits to individuals, businesses, and other non-governmental groups as a result of this program. Individuals who own surface rights in the area of Class VI sequestration projects will be able to negotiate leases for storage rights in the subsurface. Non-governmental groups in the industrial sector will benefit from increased construction as well as the federal tax credits received by the operator who is sequestering the carbon dioxide underground.
Department of Public Safety and Corrections	Uniform Construction Code	The adoption of the proposed rule is anticipated to impact directly affected persons or non-governmental groups such as private schools. The adoption of the proposed rule is anticipated to reduce construction costs while allowing time for budgeting of new structures that are proposed after the exemption deadline.