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EMERGENCY RULE       NOTICE OF INTENT       RULE       POTPOURRI

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This is your authority to publish in the (month) December ~~November~~, 20 15 Louisiana Register the document indicated above.

LA State Board of Examiners of Psychologists

DHH

Office/Board/Commission promulgating this document

Department under which office/board/commission is classified

Jaime T. Monic                      Executive Director

Jaime T. Monic                      225-925-6511    925-6521

(name)                                      (title)  
 Name and title of person whose signature will appear in the publication (at the end of the document)

(name)                                      (phone)                      (fax)  
 Name, phone number, and FAX number of person to contact regarding this document

jaime.monica@la.gov

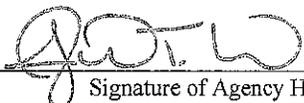
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LAC 46:LXIII.Chs 1-21

**Important:** If submitting both an Emergency Rule (ER) and a Notice of Intent (NOI) to be published this month, AND if the rule text in the ER is identical to the rule text in the NOI, check here:

  
 Signature of Agency Head or Designee

Jaime T. Monic, Executive Director

Print Name and Title of Agency Head or Designee

CERTIFICATION OF AVAILABLE FUNDS

DOCUMENT # \_\_\_\_\_

**ISIS AGENCY:** I certify the availability of fiscal year \_\_\_\_\_ appropriated funds for the payment of the above referenced publication and authorize the processing of an Interagency Billing with the following coding on the 30th of the month of the publication. Attach supplemental sheet for additional lines of coding.

AGENCY	ORGANIZATION #	OBJECT	SUB-OBJECT	REPORTING CATEGORY
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**NON-ISIS AGENCY:** I certify the availability of fiscal year 2015 self-generated ~~appropriated~~ funds for the payment of the above referenced publication and agree to place corresponding invoice in line for payment upon receipt.

Billing Address for Agencies:

LSBEP

  
 Signature of Agency Head or Designee - Phone # \_\_\_\_\_

Agency Name  
 8706 Jefferson Hwy., Ste. B  
 Street Address or Post Office Box  
 Baton Rouge    LA    70809  
 City                      State                      Zip Code

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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.

**Provider Impact Statement**

The proposed Rule 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**

Interested persons may submit written comments to Kelly Parker, Executive Director, 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. All comments must be submitted by 12 noon on March 12, 2015.

Kelly Parker  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

**RULE TITLE: Provisional Licensure of Psychologists**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The estimated implementation cost for the proposed rule totals approximately \$1,000 in FY 15. Those costs are related to publishing the proposed and final rules in the Louisiana Register. The proposed rule codifies and provides regulations for licensed specialists in school psychology [LSSP] pursuant to Act 136 of the 2014 Legislative Session.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule establishes licensure for a specialist in school psychology and creates a fee schedule for application, examination, renewal, reinstatement, background checks and administrative processes. Any increase in self-generated revenues to the Board is difficult to estimate because the licensure is optional and not required. Any impact on revenues to the Board as a result of the proposed rule are likely to be minimal. There is no estimated impact on state or local government revenue collections as a result of the proposed rule change.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rules provide regulations for licensed specialists in school psychology pursuant to Act 136 of the 2014 Legislative Session. Individuals that attain licensure as a specialist in school psychology could potentially realize unspecified economic benefits in terms of employability, particularly if the licensure becomes a desired qualification for employment. The cost of any licensure fees is to be borne by the applicant for specialist license and paid to the Board. The proposed language will not affect current licenses. The proposed language is consistent with national guidelines issued by the National Association of School Psychologists (NASP).

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

There is no estimated effect on competition and employment as a result of this rule change.

Kelly Parker  
Executive Director  
1502#080

John D. Carpenter  
Legislative Fiscal Officer  
Legislative Fiscal Office

**RULE  
NOTICE OF INTENT**

**Department of Health and Hospitals  
Board of Examiners of Psychologists**

Provisional Licensure of Psychologists  
(LAC 46:LXIII.102, 105, 601, 603, 701, 705, 709,  
901, 902, 1101, 1301, 1503, 1901, and 2103)

In accordance with R.S. 49:950 et seq., the Administrative <sup>has</sup> Procedure Act, the Department of Health and Hospitals, <sup>amend</sup> Board of Examiners of Psychologists hereby gives notice of ~~its intent to modify~~ LAC 46:LXIII.Chapters 1-21 to include references to provisionally licensed psychologists. ~~This modification~~ <sup>the</sup> ~~is necessary~~ <sup>amendments</sup> pursuant to Act 137 of the 2014 Legislative Session.

**Title 46  
PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LXIII. Psychologists**

**Chapter 1. Definitions**

**§102. Definition of Applicant for Provisional Licensure**

A. An applicant is a person who submits to the board the required application fee and the complete prescribed application which includes evidence that the person:

1. is at least 21 years of age; and
2. is of good moral character; and
3. is a citizen of the United States or has declared an intention to become a citizen. A statement by the person, under oath, to apply for citizenship upon becoming eligible to make such application shall be sufficient proof of compliance with this requirement; and
4. holds a doctoral degree with a major in psychology from a university offering a full-time graduate course of study in psychology that is approved by the board with such requirements as designated in the board's rules and regulations; and
5. has completed a minimum of one year of experience practicing psychology under the supervision of a licensed psychologist or medical psychologist licensed in accordance with R.S. 37:1360.51 et seq., or has completed an approved predoctoral internship as defined in the rules and regulations of the board and required as part of the doctoral degree in psychology as defined by the board and all other experience being post-doctoral;
6. all applicants for provisional licensure must submit and obtain preapproval of a supervised practice plan as a requirement for licensure;
7. is not in violation of any of the provisions of R.S. 37:2351-2367 and the rules and regulations adopted thereunder; and
8. submits such number of full sets of fingerprints and fees and costs as may be incurred by the board in requesting or obtaining criminal history record information as

authorized by R.S. 37:2372.1, and in the form and manner prescribed by the boards rules and regulations. The results of the criminal history record information search to be obtained, reviewed and considered acceptable by the board prior to admission to candidacy status.

B. Applicant status shall not be used for professional representation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41: (November 2015)

**§105. Definition of Candidate for Licensure**

A. A candidate for licensure is an applicant or provisional licensee (as defined in the rules and regulations of the board) who:

1. has been judged by the board to have met the requirements set forth under the definition applicant or definition of applicant for provisional license; and

2. is therefore admitted to the written examination.

B. An applicant may be admitted to candidacy, and therefore may take the required written examination, prior to completion of the two years of full-time supervised and documented postdoctoral experience, which is required for licensure and as defined in the rules and regulations of the board, or prior to expiration of the provisional license.

C. A candidate for licensure may retake the written examination as frequently as it is offered by the board, however, the candidate shall not be allowed to take the examination more than three times without meeting the minimum criterion set by the board for successful completion.

D. A candidate shall have a maximum of four years to pass the written examination.

E. A candidate who fails to pass the written examination three times (as in §105.C) or within four years (as in §105.D) shall be removed from candidacy for licensure and shall not be issued a license to practice psychology in Louisiana.

F. Candidates who are provisionally licensed who fail the written exam three times or fail to complete the written exam within four years shall have the provisional license revoked and be removed from candidacy for licensure and shall not be issued a license to practice psychology in Louisiana.

G. The above requirements of a written examination shall not prohibit a modified administration of the examination to an otherwise qualified candidate who is handicapped and whose handicap would interfere with the ability of the candidate to demonstrate satisfactory knowledge of psychology as measured by the examination.

H. A candidate who successfully completes the written examination will be admitted to the oral examination before the board.

I. A candidate who successfully completes the oral examination, in the judgment of the board, shall be issued a license in psychology upon the completion of the two years of full-time supervised and documented postdoctoral experience which is required for licensure under R.S. 37:2351-2367 and as defined in the rules and regulations of the board.

J. A candidate denied licensure under the preceding provisions, may reapply to the board after more than two

years have elapsed from the effective date of the notification by the board of such denial.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:248 (August 1979), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41: (November 2015)

**Chapter 6. Fees**

**§601. Licensure Fees**

Licensure Fees	Amount
Application for Licensure	\$200
Application for Provisional Licensure	\$150
Oral Examination (Licensure, specialty change or additional specialty)	\$250
Temporary Registration	\$125
Jurisprudence Examination	\$75
Licensed Psychologist Renewal	\$320
Provisional License Renewal	\$100
Emeritus License Renewal	\$160
Reinstatement of Lapsed License (Application plus renewal fee)	\$520

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2354.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 33:647 (April 2007), amended LR 41: (November 2015)

**§603. Administrative/Other Fees**

Administrative/Other Fees	Amount
Address List/Labels	\$ 100
License Verification	15
Disciplinary Action Report	25
Replacement License Certificate	25
Photo ID Card	15

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2354.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 33:648 (April 2007), amended LR 41: (November 2015)

**Chapter 7. Supervised Practice Leading toward Licensure**

**§701. Preface**

A. This document details reasonable minimal standards for supervised practice and establishes the legal, administrative and professional responsibility of the licensed psychologist or medical psychologist licensed in accordance with R.S. 27:1360.51 et seq., designated as supervisor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41: (November 2015)

**§705. Qualifications of Supervisors**

A. Responsibility for the overall supervision of the supervisee's professional growth resides in the licensed psychologist or medical psychologist. Supervising psychologists shall at least be licensed for one year and have training in the specific area of practice in which they are offering supervision. Specific skill training may be assigned to other specialists, under the authority of the supervising

clearly established practice and teaching skills demonstrable to the satisfaction of both the supervising psychologist and the supervisee.

B. The supervisor shall limit the number of persons supervised so as to be certain to maintain a level of supervision and practice consistent with professional standards insuring the welfare of the supervisee and the client. The supervisor must be licensed for one year and may not supervise any more than two candidates for licensure at the same time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41: (November 2015) §709. **Conduct of Supervision**

A. The board recognizes that the variability in preparation for practice of the trainee will require individually tailored supervision. The specific content of the supervision procedures will be worked out between the individual supervisor and the supervisee.

B. The licensed psychologist or medical psychologist who provides supervision for the candidate for licensure 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.

C. The supervising psychologist 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 supervising psychologist at the request of the client, the supervisee, or the psychologist. The supervisor will be available for emergency consultation and intervention.

2. All written communication will clearly identify the licensed psychologist or medical psychologist 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 licensed psychologist or medical psychologist. It is the responsibility of both the supervising psychologist 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 licensed psychologist/medical psychologist and/or provisional licensed psychologist. The setting and the psychological work performed shall be clearly identified as that of the licensed psychologist. 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 and/or his/her immediate family have any financial interest in the employing agency.

5. The supervising psychologist 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 supervising psychologist or the employing agency is to be the source of access to this information in the future.

D. In the event the supervisee publicly represents himself/herself inappropriately, or supervision is not conducted according to LAC 46:LXIII.709, the board may rule that any experience gained in that situation is not commensurate with ethical standards and thus not admissible as experience toward licensure. The board may further rule that any psychologist providing supervision under those circumstances is in violation of ethical standards which results in disciplinary action such as suspension or revocation of licensure.

E. Termination of supervision of a provisionally licensed psychologist must be reported to the board by both the supervisor and supervisee, in writing via postal mail, within seven calendar days from when either party knew or should have known supervision was terminated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41: (November 2015) **Chapter 9. Licensees**

#### §901. Provisional License Renewal

A. A psychologist is eligible to renew their provisional license until July 31 of each year upon submission of the required renewal fee, renewal application form and fulfillment of all continuing education requirements as defined in LAC 46:LXIII.Chapter 8.

B. A provisional license may be valid for one year beginning August 1 through July 31 for each renewal period.

C. A person whose provisional license has been suspended is not eligible for renewal. Reinstatement procedures of a suspended provisional license are at the discretion of the board.

D. A person whose provisional license has been revoked is not eligible for renewal.

E. Provisionally licensed psychologists shall be eligible for renewal of provisional licensure no more than three consecutive years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:489 (August 1980), amended LR 10:795 (October 1984), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:2074 (October 2003), LR 33:648 (April 2007), LR 36:1007 (May 2010), LR 41: (November 2015)

#### §902. Lapsed Provisional License

A. If a provisional license is not renewed by July 31st, due notice having been given, the license shall be regarded as lapsed for the year beginning with that August. Such license is not eligible for reinstatement unless such

requirements are satisfied within six months from the date of lapse.

B. If a provisional license lapses for a period longer than 6 months, one may make a new application to the board. It is at the discretion of the board that any requirements not fulfilled during the year prior to lapse be completed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41: (November 2015)

## **Chapter 11. Supervision of Assistants to Psychologists**

### **§1101. Conditions for Utilization of Assistants**

A. An assistant providing psychological services must be under the general and continuing professional supervision of a licensed psychologist. General supervision means the procedure is furnished under the psychologist's overall direction and control, but the psychologist's presence is not required during the performance of the procedure. Under general supervision, the training of the non-psychologist personnel who actually performs the diagnostic procedure and maintenance of the necessary equipment and supplies are the continuing responsibility of the psychologist.

B. In order to maintain ultimate legal and professional responsibility for the welfare of every client, a licensed psychologist must be vested with functional authority over the psychological services provided by assistants.

C. Supervisors shall have sufficient contact with clients, and must be empowered to contact any client in order to plan effective and appropriate services and to define procedures. They shall also be available for emergency consultation and intervention.

D. Work assignments shall be commensurate with the skills of the assistant and procedures shall under all circumstances be planned in consultation with the supervisor.

E. The supervisory contact with assistants shall occur in the service delivery setting, unless otherwise approved by the board of examiners.

F. Public announcement of fees and services and contact with lay or professional public shall not be offered in the name of the assistant.

G. Billing for psychological services shall not be in the name of an assistant.

H. A provisional licensed psychologist may not supervise unlicensed assistants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:250 (August 1979), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 36:1246 (June 2010), LR 41: (November 2015)

## **Chapter 13. Ethical Standards of Psychologists**

### **§1301. Ethical Principles and Code of Conduct**

A. The Board of Examiners of Psychologists incorporates by reference and maintains that Psychologists shall follow the APA Ethical Principles of Psychologists and Code of Conduct with the 2010 amendments adopted by the American Psychological Association's Council of Representatives on February 20, 2010, effective June 1, 2010. The *Ethics Code* and information regarding the Code can be found on the APA website,

<http://www.apa.org/ethics>, or from the LSBEP web site at <http://www.lsbep.org>.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:791 (October 1984), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:703 (May 2003), LR 41: (November 2015)

## **Chapter 15. Rules for Disciplinary Action**

### **Subchapter A. Applicability; Processing Complaints**

#### **§1503. Complaints**

A. A *complaint* is defined as the receipt of any information by the board indicating that there may be grounds for disciplinary action against a licensed psychologist or provisional licensed psychologist, or any other individual, under the provisions of title 37, chapter 28 of the *Louisiana Revised Statutes*, or other applicable law, regulation or rule.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 9:461 (July 1983), amended LR 12:833 (December 1986), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 36:1008 (May 2010), LR 41: (November 2015)

## **Chapter 19. Public Information**

### **§1901. Public Display of License**

A. The license of the licensed psychologist or provisional licensed psychologist shall be publicly displayed in the office where services are offered. When a psychologist works in two or more settings, the license should be publicly displayed in the primary office location.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 15:88 (February 1989), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41: (November 2015)

## **Chapter 21. Disclosure of Financial Interests and Prohibited Payments**

### **§2103. Definitions**

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*Provisional Licensed Psychologist*—any individual who practices under the supervision of a Louisiana licensed psychologist and has met all minimal requirements as determined by the Louisiana State Board of Examiners of Psychologists.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995), amended LR 41: (November 2015)

#### **Poverty Impact Statement**

The proposed modifications regulate provisionally licensed psychologists. The provisional license was established in Act 137 of the 2014 Legislative Session. The rules 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.

**Provider Impact Statement**

The proposed Rule 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**

Interested persons may submit written comments to Kelly Parker, Executive Director, 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. All comments must be submitted by 12 p.m. on March 23, 2015.

Kelly Parker & Jaime T. Monic  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Provisional Licensure of Psychologists**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The estimated implementation cost for the proposed rule to the Board is approximately \$800 in state FY 15. These costs are related to publishing the proposed and final rule in the *Louisiana Register*. The proposed rule codifies and provides updates to regulations to include provisionally licensed psychologists pursuant to Act 137 of the 2014 Legislative Session. There is no implementation costs or savings to other state or local governmental units.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule establishes licensure for a provisionally licensed psychologist and creates a fee schedule for application and license renewal. The impact on self-generated revenues to the Board of Examiners of Psychologists is expected to be immaterial. There is no estimated impact on state or local government revenue collections as a result of the proposed rule change.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rules provide updates to regulations to include regulations for provisionally licensed psychologists pursuant to Act 137 of the 2014 Legislative Session.

The cost of any provisional licensure fees is to be borne by the applicant for provisional licensure and paid to the Board. The amended language will not affect current licenses. The proposed language is consistent with recommended national guidelines issued by the Association of State and Provincial Psychology Boards (ASPPB) and American Psychological Association (APA).

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

Creation of a provisionally licensed psychologist may afford individuals with an enhanced opportunity to gain employment while acquiring minimal practice hours for full licensure.

Kelly Parker  
Executive Director  
1502#079

John D. Carpenter  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health and Hospitals  
Board of Medical Examiners**

Physician Assistants, Licensure and Certification; Practice (LAC 46:XLV.1521, 4505, 4506, 4511, and 4512)

Notice is hereby given that in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Louisiana State Board of Medical Examiners (board) by the Louisiana Medical Practice Act, R.S. 37:1270, and the Louisiana Physician Assistant Practice Act, R.S. 37:1360.21-1360.38, the board intends to amend its rules governing physician assistants (PAs), LAC 46:XLV.1521.A.5.f, 1521.A.5.h., 4505.D, 4506.A.2, 4511.A.4 and 4512. The proposed amendments eliminate the need for a supervising physician (SP) to countersign all records documenting the activities, functions, services and treatment measures prescribed or delivered to patients by a PA (§§1521.A.5.f, 4505.D, 4506.A.2 and 4511.A.4). Section 4512 provides that a performance plan must be included in a PA's clinical practice guidelines or protocols and identify the SP responsible for plan compliance (§4512.B). Flexibility is provided in plan development, which must include some chart review and any other items that the SP and PA deem appropriate (§4512.A.2). Increased chart review is necessary for new PAs during the first 12 months of practice and during the first 6 months for a PA shifting into an entirely new area of practice. (§4512.A.1.a). If the PA/SP work together at the same primary practice site, routinely confer with respect to patient care, and document their services in the charts and records maintained at the primary practice site, the increased chart review requirement is deemed satisfied. (§4512.A.1.b). Records regarding the plan must be maintained and made available to board representatives upon request. (§4512.C). The proposed amendments are set forth below.

**Title 46  
PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part XLV. Medical Professions  
Subpart 2. Licensure and Certification  
Chapter 15. Physician Assistants  
§1521. Qualifications for Physician Assistant  
Registration of Prescriptive Authority**

A. Legend Drugs/Medical Devices. To be eligible for registration of prescriptive authority for legend drugs or medical devices, or both, a physician assistant shall:

1. - 4.b. ...