

CONTENTS

I. EMERGENCY RULES

Education:

Board of Elementary and Secondary Education — Evaluation of special schools; certification of special education supervisors	53
Board of Trustees for State Colleges and Universities — Tuition waiver and salaries of Student Government Association officers	53

II. RULES

Agriculture Department:

Horticulture Commission — Identification of vehicles	54
State Market Commission — Information required on application and at loan closing	54

Education:

Board of Elementary and Secondary Education— Membership in Armed Forces; high school credit for military duty	54
--	----

Governor's Office:

Data Processing Coordinating and Advisory Council Rules for procuring computers	54
--	----

Health and Human Resources Department:

✓ Board of Examiners of Psychologists — Ethical standards; written examination	66
✓ Office of Family Security — Disclosure of information by Medicare providers	70
✓ Timely submittal of Medicare claims	70
✓ Office of Human Development — Final amendments to Title XX Annual Plan	70
✓ Board of Veterinary Medicine — Consultants; prescribing and dispensing drugs; record keeping	70

Public Safety Department:

Office of Fire Protection — Codification of rules	71
State Police — Amendments to Explosives Code	76

III. NOTICES OF INTENT

Agriculture Department:

Horticulture Commission — Suspension of license	77
---	----

Commerce Department:

Office of Financial Institutions — Property improvement loans by state-chartered savings and loan institutions	78
--	----

Education:

Board of Elementary and Secondary Education — Bulletins 741, 746, 1508, and 1525; pupil progression plan, etc.	78
Southern University Board of Supervisors — Student Union and accident insurance fees	78
Amendments to Bylaws	78
Board of Trustees for State Colleges and Universities — Tuition waiver and salaries of Student Government Association officers	79

Health and Human Resources Department:

✓ Board of Examiners of Psychologists — Rules on training and transportation	79
✓ Office of Family Security — Medicare hospital diagnostic procedures; non-emergency medical transportation Medicare abuses	79
Office of Health Services and Environmental Quality — Sewage disposal for rural homes	80
Office of Mental Health and Substance Abuse — Amendments to Standards Manual for Licensing Substance Abuse Programs	95

Insurance Department:

Property and Casualty Division — Misuse of confidential information	96
---	----

Natural Resources Department:

Office of Conservation — Off-site disposal of salt water and drilling mud	96
Environmental Control Commission — Emergency Rules of Procedure	97
Fishermen's Gear Compensation Fund — Evaluation and payment of claims	98

Public Safety Department:

Office of State Fire Protection — Appeals to the Fire Prevention Board of Review	99
Foam plastic insulation standards	99

Revenue and Taxation Department:

Sales Tax Section — Sales tax tables for St. Charles Parish	99
---	----

Transportation and Development Department:

Gasoline specifications	100
-------------------------------	-----

Wildlife and Fisheries Department:

Wildlife and Fisheries Commission — Spring shrimp season; shell lease fees	100
--	-----

IV. POTPOURRI

Culture, Recreation and Tourism Department:

Division of Archaeology and Historic Preservation — Notice of hearing100

Natural Resources Department:

Office of the Secretary — Availability of proposed Act 592 (state royalty crude) rules100

Wildlife and Fisheries Department:

Administrators of the Natural and Scenic Rivers System — Bayou Dorcheat hearing100

V. ERRATUM

Natural Resources Department:

Office of Conservation101

Emergency Rules

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education at its meeting on January 24, 1980, exercised those powers conferred by the emergency provisions of the Administrative Procedures Act, R.S. 49:953B, to adopt the following: In order to allow the Department of Education to proceed with the annual school evaluations of special schools for school approval, the following action was taken since continued special schools' funding is dependent upon school approval.

The Board adopted as emergency rule policy amendment to Bulletin 741, *Handbook for School Administrators*, Classification Categories of Special Schools as follows:

Classification Categories of Special Schools

Approved: School meets standards of the State Board of Elementary and Secondary Education.

Provisional approval: School has some deficiencies in standards and is being advised and requested to make corrections (such as: some teachers teaching out of their field of certification, library books below the required number per pupil, teachers teaching more pupils per period or week than permitted, not meeting scheduling requirements as prescribed by Bulletin 741, etc.). Improvement is expected prior to the next school year.

Probational approval: School has one or more of the following deviations from standards:

A. Principal not certified.

B. Member(s) of the faculty not holding valid Louisiana teaching certificate(s).

C. School does not offer a curriculum to meet graduation requirements or a balanced elementary curriculum as prescribed in Bulletin 741.

The school has been on provisional approval for at least two years.

The school has no individual educational plans and/or no current multidisciplinary evaluations.

The State Board of Elementary and Secondary Education shall set the guidelines and fix the period of time for the corrections.

Unapproved: Any school that fails to comply with one or more of the following State Board of Elementary and Secondary Education standards:

A. No liability insurance.

B. Does not have eight fire drills per school year.

C. Not in compliance with Fire Code regulations.

D. Not in compliance with Health Code regulations.

School has not corrected the stated deficiencies within the time fixed by the State Board of Elementary and Secondary Education as defined by R.S. 17:10.

Any school that has not previously attained an approved classification.

The Board adopted as emergency rule policy amendment to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*, because certification requirements for special education supervisors were imposed by the State Board of Elementary and Secondary Education since 1975, however,

funding for these positions did not become available to the state until the 1978 legislative session. Of the sixty-six school systems, only a small number of parishes had certified persons serving in this capacity. The following amendment is necessary so that approximately thirty acting supervisors currently employed may have time to complete their coursework.

The Board adopted the following amendment to Bulletin 746, pages 45-45a, last paragraph, Parish or City School Supervisor/Director of Special Education, to read:

Certification requirements may be temporarily suspended by the Board to allow the individuals to serve in the capacity of acting parish or city school supervisor/director of special education, provided the Board has approved an educational plan for the individual to complete certification requirements on or before December 31, 1980.

Individuals hired or serving as an acting parish or city school supervisor/director of special education, on and after January 1, 1981, must meet certification requirements when employed or to remain employed as a parish or city school supervisor/director of special education.

James V. Soileau, Executive Director

Board of Elementary and Secondary Education

DECLARATION OF EMERGENCY

Board of Trustees for State Colleges and Universities

At its meeting on January 11, 1980, the Board of Trustees for State Colleges and Universities adopted the following rule, effective immediately:

Policies and procedures Manual of the Board of Trustees for State Colleges and Universities, Part VIII, Section 8.12B, Tuition Waiver and Salaries for Student Government Association (SGA) Officers, paragraph 1 shall read as follows:

1. A waiver of tuition (as defined in Section 6.6B of Part VI of this Manual) shall be granted, by the institutions under the jurisdiction of the Board, to the top three elected SGA officers at those institutions, with the exception of Delgado Vocational-Technical Junior College, where the recipients of the tuition waivers shall be the SGA presidents and vice-presidents at the two Delgado College campuses. The waiver of tuition shall remain in effect for the duration of the respective terms of office.

This was taken as emergency action in order that current office holders at Delgado College might have opportunity to take advantage of the tuition waivers.

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

Bill Junkin

Executive Director

Rules

RULE

Department of Agriculture Louisiana Horticulture Commission

In accordance with the provisions of R.S. 37:1961 and the provisions of the Administrative Procedure Act, R.S. 49:951-968, Rules IV, I. and J. of the Rules and Regulations of the Louisiana Horticulture Commission are hereby promulgated.

The Rules require that all licensees, with the exception of retail florists and wholesale florists, display the title of their profession and their license number on all company vehicles, and that licensees have personal identification in their possession during times when work is being conducted.

RULE IV

1. All commercial vehicles (pick-up trucks, vans, etc.) owned and used by all professionals with the exception of retail florists and wholesale florists licensed under the Louisiana Horticulture Law (R.S. 37:1961-1975) in the performance of the normal activities of their profession must be plainly marked on both sides and the back in letters and numbers no smaller than three inches high displaying the title of their profession and license number.

J. Appropriate identification must be available on the person of all licensees with the exception of retail florists and wholesale florists while performing the activities normally associated with their professions.

Richard Carlton, Secretary
Louisiana Horticulture Commission

RULES

Department of Agriculture State Market Commission

The State Market Commission on January 23, 1980, amended Rules 9 and 12 of its Procedures for Developing and Executing Market Commission Loans and/or Guarantees to read as follows:

Rule 9

9. The application must include:
- A feasibility study of the proposed enterprise.
 - A credit analysis of the principals.
 - A three-year projected cash flow statement.
 - A letter from a Department of Agriculture attorney stating the application is in compliance with the law.
 - An evaluation of management capability.
 - Turn-down letters from two area lending institutions. The Market Commission will attempt to obtain participation from local sources.
 - An explanation of how the proposed marketing facility would enhance and/or benefit the agricultural community in which it would be located.
 - A financial statement on the principals, corporations, or cooperatives prepared by a public accountant using acceptable accounting principles.
 - An appraisal, if an existing facility, using market data, cost and earning approaches as the basis of value. Appraisal shall be made by Market Commission staff unless in their judgment an

outside qualified appraiser should be employed by applicant.

J. An affidavit disclosing what relationship, if any, the applicant(s) may have to any state official or employee of the State Department of Agriculture.

Rule 12

12. Upon completion of the facility, as specified in application, the applicant must submit to the Market Commission a copy of the note, the mortgage, and a mortgagee title insurance binder in favor of the Market Commission. Upon approval of these documents by a Department of Agriculture attorney, the Market Commission shall schedule a formal loan closing. On all loans to corporations and/or cooperatives, personal endorsement shall be required unless waived by unanimous vote of the Market Commission. In addition, each corporation and/or cooperative shall furnish on the anniversary date of the loan the following:

- Names of all stockholders and the number of shares held by each.
- The statement of its operations, including analysis of profits and losses.
- A statement of financial condition.

Albert Chapman, Executive Secretary
State Market Commission

RULE

Board of Elementary and Secondary Education

The Board approved a policy amendment for final adoption to Bulletin 741, *Handbook for School Administrators*, page 41, paragraph 1.b, to read as follows:

A person is considered a "member of the armed forces" if he/she is engaged in active military duty in the Army, Navy, Air Force, Marine Corps, Coast Guard, or is a member of the Army or Air Force National Guard.

The Board approved a policy amendment for final adoption to Bulletin 741, *Handbook for School Administrators*, page 41, paragraph 2.a., to read as follows:

Two units of credit toward high school graduation may be awarded to any member of the United States Armed Forces or their reserve components, or any honorably discharged veteran who has completed his/her basic training upon presentation of a military record attesting to such completion.

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

RULES

Office of the Governor Data Processing Coordinating and Advisory Council

LAC 1-9:1 Computer Utilization Reporting

1.1 Each department, commission or board, political subdivision or political corporation of the state, except parishes and municipalities, shall maintain hardware utilization records. Each data processing center will provide the Data Processing Coordinating and Advisory Council (DPCAC) monthly utilization reports as defined in Sections 1.3, 1.4, or 1.5 below as applicable. In addition, data processing centers will provide the Council with requested utilization data as required to support special studies.

1.2 The following definitions shall be applicable throughout the rules of the DPCAC:

- 1.2.1 "BCS" means Boeing Computer Services.
- 1.2.2 "CC" means Control Card.
- 1.2.3 "CDC" means Control Data Corporation.
- 1.2.4 "Council" means Data Processing Coordinating and Advisory Council.
- 1.2.5 "CPU" means Central Processing Unit.
- 1.2.6 "CRU" means Computer Resource Unit.
- 1.2.7 "DVI" means Device Group 1.
- 1.2.8 "DV2" means Device Group 2.
- 1.2.9 "DV3" means Device Group 3.
- 1.2.10 "ER" means Executive Request.
- 1.2.11 "EXCP" means Execute - Channel Program.
- 1.2.12 "IBM" means International Business Machines.
- 1.2.13 "JLF" means Job Lengthening Factor.
- 1.2.14 "MLF" means Master Log File.
- 1.2.15 "RLF" means Run Lengthening Factor.
- 1.2.16 "SARA" means System Analysis and Resource Accounting.
- 1.2.17 "SCF" means Statistical Collection File.
- 1.2.18 "SMF" means System Management Facility.
- 1.2.19 "SUP" means Standard Unit Processing.
- 1.2.20 "TSO" means Time Sharing Option.
- 1.2.21 "TSS" means Time Sharing System.

1.3 Data processing centers that have the SARA software installed will provide the following reports on a monthly basis. The reports are due not later than the tenth day of each month. The BCS SARA documents referenced in this rule are available at the DPCAC staff offices and at State agencies where the SARA package is installed.

1.3.1 SARA III (IBM) Users. Reference should be made to BCS document 20463-005, SARA-IBM Management Reporting System, for additional information. The monthly reports will be summarized at the day and shift level. The year-to-date reports will include the current twelve months of utilization data and will project the next twelve months using the SARA III control statement "growth best" (reference BCS page 31). The following monthly and year-to-date (past twelve months) reports are required (reference BCS page 35):

Report Number	Title	Comments
1	Number Jobs-Batch	
3	Active Hours-Total	
5	Device Wait-Batch	
6	CPU Hours-Batch	
7	CPU Hours-TSO	TSO Users Only
8	CPU Hours-Total	
9	CRU-Batch	
10	CRU-TSO	TSO Users Only
11	CRU-Total	
12	CRU/Hour-Batch	
13	Throughput-Batch	
14	JLF-Batch	
15	CPU Percent-Total	
18	DVI Hours	Disk
19	DV2 Hours	Tape
20	DV3 Hours	Unit Record
27	Number TSO Sessions	TSO Users Only
28	Log-on Hours-TSO	TSO Users Only
29	Pages per second (Batch)	If available
30	Pages per second (TSO)	TSO Users Only
32	Pages per second (Total)	

In addition, the Monthly Summary Report (reference BCS page 14) will be provided for the current month.

1.3.2 SARA-H (Honeywell) Users. Reference should be made to BCS document 20463-015, SARA-H Management Reporting System, for additional information. The monthly reports will be summarized at the day and shift level.

The year-to-date reports will include the current twelve months of utilization data and will project the next twelve months using the control statement "growth best". The following monthly and year-to-date (past twelve months) reports are required (reference BCS pages 32, 33):

Report Number	Report Number Title
1	Number Jobs-Batch
3	Active Hours-Batch
4	Allocation Wait Hours-Batch
5	Swap Hours-Batch
6	CPU Hours-Batch
7	CPU Hours-TSS
8	CPU Hours-Total
9	CRU-Batch
10	CRU-TSS
11	CRU-Total
12	CRU/Hour-Batch
13	Throughout-Batch
14	JLF-Batch
15	CPU Percent-Total
16	Average Memory per Activity-Batch
18	DV1 Hours
19	DV2 Hours
20	DV3 Hours
27	Number TSS
28	Log-on Hours-(TSS)

In addition, the Monthly Summary Report (reference BCS page 12) will be provided for the current month.

1.3.3 SARA-U (Univac) Users. Reference should be made to BCS document 20463-018, SARA-Univac Management Reporting System, for additional information. The monthly reports will be summarized at the day level. The year-to-date reports will include the current twelve months of utilization data and will project the next twelve months using the control statement "growth best". The following monthly and year-to-date (past twelve months) reports are required (reference BCS pages 27-29):

Report No.	Title
1	Active Hours-Batch
2	Number of Runs-Batch
4	Allocation Wait Hours-Batch
5	Processor Hours-Batch
6	ER/CC Hours-Batch
7	SUP Hour-Batch
9	CRU Total-Batch
10	CRU/Hour-Batch
11	Throughput-Batch
12	RLF-Batch
13	Average core blocks-Batch
16	Active Hours-Demand
17	Number of Runs-Demand
19	Allocation Wait-Demand
20	Processor Hours-Demand
21	ER/CC Hours-Demand
22	SUP Hours-Demand
24	CRU Total-Demand
25	CRU/Hour-Demand
26	Throughput-Demand
27	RLF-Demand
28	Average core block-Demand
31	Active Hours-Real time
32	Number Runs-Real time
34	Allocation Hours-Real time
35	Processor Hours-Real time
36	ER/CC Hours-Real time
37	SUP Hours-Real time

39	CRU Total-Real time
40	CRU/Hour-Real time
46	Active Hours-Total
47	Number of Runs-Total
48	Allocation Wait-Total
49	Processor Hours-Total
50	ER/CC Hours-Total
51	SUP Hours-Total
52	Percent Processor-Total (if available)
68	DV1 Hours
69	DV2 Hours
70	DV3 Hours

In addition, the Monthly Summary Report (reference BCS page 10) will be provided for the current month.

1.4 Data processing centers with operating systems which support a system accounting file, e.g., SMF (IBM), MLF (Univac), SCF (Honeywell), Day File (CDC), etc., but do not have the SARA software are required to provide monthly reports. The statistics will be summarized at the day and month level. The following information will be provided to the Council by the tenth day of each month:

1.4.1 Total hours per month the hardware is operated, e.g., twenty-four hours per day times thirty days per month equals seven hundred twenty hours per month (summarized monthly only).

1.4.2 Total CPU hours.

1.4.3 Total tape channel utilization expressed as hours busy, EXCP counts or words transferred, as available in the accounting file.

1.4.4 Tape allocation hours, e.g., six tape units allocated two hours each equal twelve tape allocation hours.

1.4.5 Total disk channel utilization expressed as hours busy, EXCP counts or words transferred, as available in the accounting file.

1.4.6 Total permanent disk storage allocated (summarized monthly only).

1.4.7 Number of batch jobs.

1.4.8 Number of time sharing sessions (TSO, TSS, Demand, etc.).

1.4.9 Batch CPU time.

1.5 Data processing centers that have an operating system which does not support an accounting file will provide the following information monthly, with reports due not later than the tenth day of each month:

1.5.1 Total hours per month that the hardware is operated.

1.5.2 Total number of hours the CPU was utilized. If the CPU is metered, then metered hours may be reported.

1.6 If a data processing center is unable to report the information requested above, a written response must be submitted to the Council stating what can and cannot be reported as well as the method used to measure the hardware utilization. The Council reserves the right to have its staff members make periodic audits to verify the information furnished.

LAC 1-9:2 Professional Services Contracts for Data Processing

2.1 Each department, commission or board, political subdivision or political corporation of the state, except parishes and municipalities, shall present to the Data Processing Coordinating and Advisory Council the following information relative to professional services contracts for data processing for Fiscal Year 1977-78:

2.1.1 Contract number.

2.1.2 Contractor and client.

2.1.3 Effective and expiration dates.

2.1.4 Scope and objectives of the project and/or service to be performed.

2.1.5 Deliverables stated in the contract.

2.1.6 Total amount of the contract.

2.1.7 Amount of retainage or performance bond, if included.

2.1.8 The number of personnel furnished by the contractor by skill level and the hourly rate for each.

2.1.9 Name of the state person who supervises the activities of contract personnel.

2.1.10 Whether the project is a turnkey project, i.e., one in which the contractor is solely responsible for developing an application for a fixed price.

2.1.11 Method and frequency of review of the contractors performance.

2.1.12 Whether the method and frequency of review is stated in the contract.

2.1.13 Written justification and rationale for entering into this contract.

2.1.14 Number of state personnel (whether data processing or non-data processing personnel) that are assigned to this project.

2.2 All contracts with an effective date or those indicating a start date for the contractor after December 11, 1977, must be presented to the Council for approval and must be approved by the Office of Contractual Review, Division of Administration, prior to the commencement of work activities by the contractor.

2.3 Information as requested for Subsections 2.1.1 thru 2.1.14 of this rule must be furnished for all new contracts presented to the Council for approval. If approval to enter into the contract is granted by the Council, a signed and witnessed copy of the contract must be forwarded to the Council.

2.4 The following general guidelines shall be used in obtaining professional services contracts and subsequent amendments for data processing:

2.4.1 Professional services contractors should only be used where special expertise or guidance is required and cannot be provided by the state personnel, e.g., if special expertise in a particular industry is required for a project, consultants may be used to design a system and to guide and monitor the installation phase. Professional services contractors will not perform systems analysis or programming tasks where it is feasible to do so with state employees. Use of professional services over extended periods of time will not be approved.

2.4.2 Where projects are mandated by the Legislature and/or critical installation dates are required, an exception will be made to allow the use of professional services systems analysts and programmers for augmentation of staff provided proper justification is presented to the Council.

2.4.3 Professional services may be acquired for the installation of highly specialized software, or with firms providing hardware monitoring devices and capabilities or for data processing training, provided proper justification is presented and approval is granted by the Council.

LAC 1-9:3 Development of Long-Range Plans for Data Processing in Departments

3.1 Each department of state government shall develop a long-range plan for data processing.

3.1.1 The planning process will cover a three year period and shall be on a fiscal year basis to coincide with the budgeting process. The initial plan shall include fiscal years 1980-81, 1981-82, and 1982-83. A plan shall be submitted to the Data Processing Coordinating and Advisory Council (DPCAC) no later than December of each year. Semiannual updates including changes, additions or deviations to the plan shall be submitted to the DPCAC on June 1 of each year. The December plan will drop the oldest year and add an additional fiscal year.

3.1.2 The methodology or technique for developing the plan is left to the discretion of the department. However, the plan shall provide summary information in the format described in

Section 3.2. In addition, the methodology employed in developing the plan must provide the detailed data described in Subsections 3.2.3 and 3.2.7 for the DPCAC review upon request. Each data processing user, with technical assistance provided by the data processing agency, will provide the input required in Subsections 3.2.1 - 3.2.5, and 3.2.6H and 3.2.6K.

3.1.3 The actual format of the plan will be determined by the department. Section 3.3 does discuss, however, a set of forms and instructions which may be used, at the option of the department, in preparation of its plan.

3.2 The following is a description of information to be included in the plan:

3.2.1 State the mission and objectives of electronic data processing (EDP) within your department.

3.2.2 Provide the following information for systems currently in production on state EDP agency equipment and systems currently operating on nonstate equipment (do not include these systems in paragraph C below) which will be brought in-house within the three fiscal years covered in the plan.

A. For each system listed provide a narrative of the scope, objectives and benefits of the system.

B. Indicate the current and anticipated monthly computer center production costs for the system, and whether the system is run on state or nonstate equipment.

C. Indicate the percentage of the current total computer center's monthly production cost used by the system.

D. Indicate the current and anticipated level of staffing and other cost associated with the maintenance of the system.

3.2.3 Each agency will maintain and make available upon request the following detailed information associated with each of the systems described in Subsection 3.2.2 above:

A. Processing frequency, whether daily, weekly, monthly, quarterly, semiannually, annually or on request.

B. The run time per month (both Central Processing Unit (CPU) and total throughput).

C. The total permanent disk storage required for the system.

D. The maximum number of concurrent tape drives required for the system, and the average number of reels stored for the system in a tape library.

E. The total monthly print volume for the system.

F. The file organizations used by the system, i.e., sequential, indexed sequential, random, virtual storage access method (VSAM), relative or direct access.

G. Number of personnel required for basic maintenance.

H. Method and volume of data entry. Also indicate time required for the system in terms of manhours per month or number of full-time data entry operators.

3.2.4 List any major enhancements or redesign efforts, either in progress or proposed, for each of the production systems.

A. Indicate whether in progress or proposed showing a start and completion date.

B. State the scope, objectives and anticipated benefits of this effort.

C. Indicate the level of consultant and state personnel staffing and level of expertise required for this effort.

D. Indicate any hardware or software changes necessitated by the implementation of this effort.

3.2.5 List new systems currently in progress or planned during the three fiscal year period.

A. Indicate starting and completion date.

B. State the scope and objectives and anticipated benefits.

C. Indicate the level of consultant and state personnel staffing and level of expertise required for this effort.

D. Indicate any planned hardware or software changes necessitated by the implementation of this effort.

3.2.6 Provide the following EDP resource requirements information for each of the next three fiscal years:

A. Hardware cost.

B. Software cost.

C. Personnel number and cost.

D. Facilities cost.

E. Training cost.

F. Forms and supplies cost.

G. Consultant services cost.

H. Costs of other non-state EDP services, i.e., service bureaus, timesharing services and related consulting services associated with the service bureau or timesharing service.

I. Other cost.

J. Total cost of EDP resources.

K. Sum of total operating budgets for all users of EDP services.

L. Percentage of amount in Subsection 3.2.6K above represented by amount in Subsection 3.2.6J, i.e., percentage of total budget allocated to EDP.

3.2.7 Each agency will maintain and make available upon request the following detailed information associated with the resource requirements in Subsection 3.2.6 above:

A. The currently installed hardware configuration, indicating for each component whether leased, purchased or rented and the annual cost. Maintain a schematic of the hardware configuration.

B. Hardware upgrades or changes planned by year indicating the month in which it is to be installed. Indicate the anticipated rental, lease or purchase amount for each component. Indicate whether the upgrade or change is due to an increase in the volume of utilization of existing systems, implementation of new systems, changes due to technological advances, cost considerations, etc.

C. The software presently used, i.e., operating systems, compilers, assemblers, telecommunications, data base systems, data dictionary system, and major utilities. Indicate whether the software is furnished by the vendor, rented, leased or purchased. Indicate the annual cost associated with each.

D. Planned software changes or upgrades. Indicate the month of installation, plus the annual cost. Indicate whether the software change is due to technological advances, requirement for new systems, changes in existing systems, etc.

E. Maintain a listing of classifications currently allocated to data processing organization and the number of personnel positions in each.

3.3 Section 3.2 of this rule states the information to be collected and reported but does not specify exact formats or forms to be used. Given below are instructions for forms that may be used as presented or modified to meet a department's exact needs. Copies of these forms are available on request for the DPCAC.

3.3.1 The mission and objectives of EDP within a department shall be in a free format narrative, and shall be submitted to the DPCAC.

3.3.2 The form entitled "Production System Summary" contains space for all information required in Subsection 3.2.2, including a narrative of the scope, objectives and benefits, and projections of costs over the three-year planning period. These forms shall be submitted to the DPCAC as part of the plan.

3.3.3 The form entitled "Production System Detail Sheet" contains space for three-year projections in several categories for each production system. These forms are kept at the agency and do not have to be submitted to the DPCAC.

3.3.4 Provide Subsection 3.2.4 information on the form entitled "System Development or Enhancement Plan". Included is space for a narrative of the scope, objectives and benefits of the effort, as well as a three fiscal year view of start/completion dates, staffing, and hardware/software changes. These forms are submitted to DPCAC as part of the agency's plans.

3.3.5 New systems are described as per instructions in Subsection 3.3.4.

3.3.6 All information requested in Subsection 3.2.6 may be supplied on the form entitled "EDP Resource Requirements Cost Plan". These forms are submitted to DPCAC as part of the plan.

3.3.7 For Subsection 3.2.7 A-D information, use form entitled "Hardware/Software Plan," along with a schematic of the configuration. Use form entitled "Plan of Positions in EDP Organization" for Subsection 3.2.7.E information.

LAC 1-9:4 Development of Long-Range Plans for Data Processing in Colleges and Universities

4.1 Each state college and university shall develop a long-range plan for data processing.

4.1.1 The planning process will cover a three-year period and shall be on a fiscal year basis to coincide with the budgeting process. The initial plan shall include fiscal years 1980-81, 1981-82, and 1982-83 and shall be submitted to the Data Processing Coordinating and Advisory Council (DPCAC) no later than December 15 of each year. Semiannual updates including changes, additions or deviations to the plan shall be submitted to the Data Processing Coordinating and Advisory Council on June 15 of each year. The December plan will drop the oldest year and add an additional fiscal year.

4.1.2 The methodology or technique for developing the plan is left to the discretion of each individual college or university. However, the plan shall provide summary information in the format described in Section 4.2. In addition, the methodology employed in developing the plan must provide the detailed data described in Subsection 4.2.6 for Data Processing Coordinating and Advisory Council review upon request.

4.1.3 The actual format of the plan will be determined by the college or university. Section 4.3 does provide, however, a set of forms and instructions which may be used, at the option of the college or university, in preparation of its plan.

4.2 The following is a description of information to be included in the plan:

4.2.1 State the mission and objectives of electronic data processing (EDP) within your college or university. Also include a description of benefits from the usage of EDP to your college or university in the following terms (at a minimum):

A. The number of credit courses in the college or university which make use of the computing facilities.

B. The total number of students enrolled who have at one time or another used the computing facilities for course work or research work (use best estimates), and subtotals by number pursuing each level of degree.

C. Number of students supported by administrative systems.

4.2.2 List and describe any major enhancements or redesign efforts in progress or proposed for each existing administrative application. Also, it is recommended, but not mandatory, to include major efforts in instruction, research and academic applications to the extent practical in order to present a complete plan. For example, if considerable resources (fifteen percent or more of the development/enhancement budget) are to be committed to the enhancement of a programmed instruction package for students in engineering, the plan would be incomplete without inclusion of such an effort. For each application listed, describe as follows:

A. Indicate whether in progress or proposed showing a start and completion date.

B. State the scope, objectives and anticipated benefits of this effort.

C. Indicate the level of university and consultant personnel staffing and expertise (programmer, analyst, project leader, etc.) required for this effort.

D. Indicate any hardware or software changes necessitated by the implementation of this effort.

4.2.3 List and describe new administrative applications currently in progress or planned during the three fiscal year period. Also, as mentioned in Subsection 4.2.2 above, other applications are recommended, but not mandated, for inclusion when considerable resources are required for implementation. For each application listed, describe as follows:

A. Indicate whether in progress or proposed showing estimated starting and completion date.

B. State the scope, objective and anticipated benefits.

C. Indicate the level of university and consultant personnel staffing and expertise (programmer, analyst, project leader, etc.)

D. Indicate any planned hardware or software changes necessitated by the implementation of this effort.

4.2.4 Separate the anticipated total yearly EDP costs of the college or university into the costs necessary to support administrative, research, instruction and other activities. Include totals for both shared and dedicated EDP resources for the next three fiscal years in a format like the following:

Category	Fiscal Year 1		Fiscal Year 2		Fiscal Year 3	
	Shared	Dedicated	Shared	Dedicated	Shared	Dedicated
Administrative	\$	\$	\$	\$	\$	\$
Research	\$	\$	\$	\$	\$	\$
Instruction	\$	\$	\$	\$	\$	\$
Other	\$	\$	\$	\$	\$	\$

The term EDP resources can include a central processing unit (CPU) and associated peripheral units, remote job entry terminal, other terminals, minicomputers, and microcomputers. Describe the cost allocation method or algorithm used to determine costs associated with central, shared systems. Also include a definition of each component in the algorithm.

4.2.5 Provide the following EDP resource requirements information for each of the next three fiscal years:

A. Hardware cost.

B. Software cost.

C. Personnel number and cost.

D. Facilities cost.

E. Training cost.

F. Forms and supplies cost.

G. Consultant services cost.

H. Costs of other non-State EDP services, i.e., service bureaus, timesharing services and related consulting service associated with the service bureau or timesharing service.

I. Other cost.

J. Total cost of EDP resources.

K. Total operating budget of the college or university.

L. Percentage of amount in Subsection 4.2.5K represented by amount in Subsection 2.4.5.J, i.e., percentage of total budget allocated to EDP.

4.2.6 Each college or university will maintain and make available upon request the following detailed information associated with the resource requirements in Subsection 4.2.5 above.

A. The currently installed hardware configuration, indicating for each component whether leased, purchased or rented and the annual cost. Maintain a schematic of the hardware configuration. This configuration will be the same as that filed with the Data Processing Coordinating and Advisory Council.

B. Hardware upgrades or changes planned by year including the month in which it is to be installed. Indicate the anticipated rental, lease or purchase amount for each component. Indicate whether the upgrade or change is due to an increase in the volume of utilization of existing systems, implementation of new systems, changes due to technological advances, cost considerations, etc.

C. The software presently used, i.e., operating systems, compilers, assemblers, telecommunications, data base systems, data dictionary system, and major utilities. Indicate whether the software is furnished by the vendor, rented, leased or purchased. Indicate the annual cost associated with each. This software will be the same as that filed with the Data Processing Coordinating and Advisory Council.

D. Planned software, changes or upgrades. Indicate the month of installation, plus the annual cost. Indicate whether the software change is due to technological advances, requirement for new systems, changes in existing systems, etc.

E. Maintain a listing of classifications currently allocated to the data processing organization, and the number of personnel positions currently in each as well as the number projected for each of the three future fiscal years. Include only personnel who work full-time in support of the EDP function. Do not include part-time student workers, personnel funded by a grant, or students or faculty who use an EDP system.

4.3 Section 4.2 of this rule states the information to be collected and reported but does not specify exact formats or forms to be used. Given below are instructions for forms that may be used as presented or modified to meet a college or university's exact needs. Copies of these forms are available on request from the DPCAC.

4.3.1 The mission and objectives of EDP within the university shall be in a free format narrative and submitted as part of the plan to the DPCAC.

4.3.2 Provide Subsection 4.2.2 information on the form entitled "System Development or Enhancement Plan". Included is a narrative of the scope, objectives and benefits of the effort, as well as a three fiscal year view of start/completion dates, staffing and hardware/software changes. These forms shall be submitted to the DPCAC as part of the plan.

4.3.3 New systems are described per instructions in Subsection 4.3.2.

4.3.4 Subsection 4.2.4 information shall be in free format narrative and submitted as part of the plan to the DPCAC.

4.3.5 All information requested in Subsection 4.2.5 may be supplied on the form entitled "EDP Resource Requirements Cost Plan". This form is submitted to the DPCAC.

4.3.6 For information requested in Subsection 4.2.6 A-D, use form entitled "Hardware/Software Plan", along with a schematic of the configuration. For Subsection 4.2.6E information, use form entitled "Plan of Positions in DP Organization".

LAC 1-9:5 Procedure for Determining the Equipment, Software, and Services Requiring Approval of the DPCAC

5.1 Except as otherwise stated herein, all acquisitions of data processing equipment including word processors, micro computers, minicomputers, computers, peripherals, punched card

equipment, data gathering equipment, and data communications devices must first be approved by the Data Processing Coordinating and Advisory Council (DPCAC). Any program or systems design, which includes as a part of said design, a data processing function, that is to be purchased or contracted for, will be first approved by the Council. Maintenance of equipment or software to be performed through a service contract will be first approved by the Council. Maintenance of equipment or software provided by the original manufacturer or his designee on an emergency or per call basis does not require Council approval. Purchases of supplies will not require Council approval. Purchase of equipment with a one time cost of fifty dollars or less shall not require Council approval.

5.2 Upon receipt of a request, the DPCAC staff shall determine if request is under DPCAC jurisdiction, considering the following:

5.2.1 Word processors used solely as text editors are not data processing.

5.2.2 Service calls not under a maintenance contract, but by the manufacturer or his designee do not require approval.

5.2.3 Supplies do not require approval.

5.2.4 Equipment costing fifty dollars or less does not require approval.

5.2.5 Analog to digital converters do not require approval.

5.2.6 Bursters, check signers, decollators (separators) do not require approval.

5.2.7 Microcomputers and associated peripheral equipment to be used exclusively for the following applications will not require Council approval:

A. Process Control.

B. Numerical Control of machine tools.

C. Direct control of machines and product lines.

D. Telemetry.

E. Automated testing and inspection.

F. Data acquisition and logging.

G. Control and analysis of laboratory experiments.

H. Analysis and interpretation of medical tests.

I. Traffic control.

J. Shipboard navigation control.

K. Security control.

L. Environmental control.

M. Typesetting and photocomposition.

5.3 The DPCAC staff can approve purchases of up to \$10,000 exclusive of taxes, service, and shipping charges providing all purchasing laws and regulations are met. The staff can also approve rentals and leases of up to \$1,000 per month inclusive of maintenance, but exclusive of taxes, and shipping charges providing all purchasing laws and regulations are met. The staff cannot disapprove a request. If the staff feels that approval is not warranted, the matter must come before the DPCAC. All requests approved by the staff will be listed for the Council's review.

5.4 For any request that the staff cannot approve, the staff will prepare the request for presentation to the Council at the earliest date possible, taking into account the time required to properly review the request. The staff will perform an indepth review of the circumstances making the request necessary, will study alternative solutions including those studied by the requestor and will develop recommendations for Council action.

5.5 Requests brought before the DPCAC may be approved, disapproved, deferred awaiting further action, or determined not to be data processing in nature. The DPCAC staff will formally notify requestors as to the disposition of all requests acted upon by the DPCAC.

LAC 1-9:6 Guidelines for Justification of Multi-Year Data Processing Leases

6.1 Act 499 of 1979 provides for multi-year leasing of data processing equipment for periods up to three years with Data Processing Coordinating and Advisory Council (DPCAC) ap-

proval and up to five years with State Bond Commission approval.

6.2 Following are the guidelines that shall be used in preparing justification for a multi-year lease:

6.2.1 Provide a detailed list of equipment under consideration.

6.2.2 State whether equipment is currently installed or to be acquired.

6.2.3 If currently installed provide installation date, monthly rental rate, current accumulated accruals, purchase amount, terms of existing rental agreement, the anticipated useful life of the equipment, and terms of the proposed agreement.

6.2.4 If equipment is to be acquired provide proposed installation date, lease term, monthly lease rate, purchase accrual rate, present purchase amount, anticipated useful life of the equipment and terms of the proposed lease agreement.

6.2.5 If the equipment is to be connected to equipment leased under a different arrangement, provide the terms of the other arrangement(s).

6.2.6 Provide a financial comparison showing the following:

A. Cost per month of proposed equipment if rented on a one year term including maintenance.

B. Cost per month or proposed equipment if leased for the term requested including maintenance.

C. A cost figure derived by dividing the purchase price by the number of months in the proposed lease term, then adding the monthly maintenance charge for the equipment.

LAX 1-9:7 Policy Regarding Acquisition of Software

7.1 The purpose of this policy is to define the methods an agency may use to acquire software and certain subscription and timesharing services.

7.2 The Data Processing Coordinating and Advisory Council (DPCAC) recognizes that many agencies have significant investments in applications programming and personnel training in specific software, e.g., operating systems, teleprocessing monitors, interactive program development, etc. Further, due to this investment, it would not be to the state's advantage, but rather its disadvantage to periodically change this software.

7.3 The DPCAC feels that it was the intent of the Legislature, in including software in Act 499 of the 1979 Regular Session, to promote cost advantages to the state wherever possible.

7.4 Therefore, in compliance with Act 499, and the DPCAC's interpretation of legislative intent, software that must be competitively bid will be of the type that includes application packages, i.e., inventory systems, accounting systems, payroll systems, etc., as well as capacity planning software, performance monitoring software, statistical packages, report writers, and data base management systems.

7.5 Renewals will be approved by the DPCAC. All other software, including but not limited to operating systems, teleprocessing monitors, interactive program development systems, and utilities may be acquired directly from the vendor or manufacturer. However, all software acquisitions must first be approved by the DPCAC.

7.6 Specialized subscription and timesharing services such as a general library service (Southeastern Library Network-SOLINET) or law library timeshare service where there is only one known supplier may be acquired from that supplier with DPCAC approval.

LAC 1-9:8 Justification Guidelines for Procuring Computer Software

8.1 This guideline describes the information to be provided when seeking the Data Processing Coordinating and Advisory Council's approval to acquire computer software. Computer soft-

ware, for the purpose of this guideline, is defined as any program or series of programs written for use in many computer installations. If the software to be acquired is without cost, no justification to the Data Processing Coordinating and Advisory Council is required.

8.2 In a request to the Council, be certain that each of the following requirements is completely met to avoid delays in approval:

8.2.1 Give a general description of the mission of the computer installation for which this software is requested.

8.2.2 Give a description of the computer hardware on which the new proposed software is to be used. Mention what operating system is used.

8.2.3 Describe the tasks to be accomplished by the proposed software and tell why the accomplishment of these tasks justifies the cost of the package.

8.2.4 Provide the total cost of the proposed software. If this is not to be a permanent license, give the cost for the initial year. Include:

A. Cost of the software.

B. Installation cost.

C. Personnel training cost.

D. Cost of any additional hardware to be acquired to support this software.

E. Maintenance costs for the initial year.

F. Miscellaneous costs not covered above.

8.2.5 If this is not a permanent license, give subsequent year costs. Explain fully any multi-year benefits such as permanent license after three years, etc.

8.2.6 Provide cost of maintenance per year after permanent license is obtained.

8.2.7 Describe the overall impact this software will have on the performance of the installation and the facts used to reach this conclusion.

8.2.8 Investigate all known software packages which claim to accomplish the required task. Name each investigated, their total cost, and the reason you did or did not select each. Give the source you obtained your list of possible vendors from, for example, Datapro or Auerbach.

8.2.9 State whether you intend to bid this acquisition. Attach bid specification.

8.2.10 If the proposed acquisition was budgeted, include a copy of the budget page reflecting same. If not, give detailed explanation of funding and include a copy of the BA-7.

LAC 1-9:9 Justification Guidelines for Procuring Communications Equipment

9.1 Included in this guideline is information to be provided when seeking the Data Processing Coordinating and Advisory Council's approval to acquire data processing communications equipment. If seeking fewer than four terminals for an already existing application, and using an established network, a letter stating this fact and appropriate justification may be substituted for the information specified in these guidelines. The number of terminals on an established network will not be increased more than once every six months using letter justification. More frequent changes will require the completion of the information described in Section 9.2.

It is advised that each agency become familiar with this guideline now rather than waiting until terminals are needed. Some information requires advance preparation; and, depending on the installation, perhaps programming so that needed information can be captured. The Council believes the required information, if not already available, will be most helpful in making day-to-day decisions as well as supporting a request for equipment.

9.2 In a request to the Council, be certain that each of the following requirements is completely met to avoid delays in ap-

proval:

9.2.1 Indicate the type of equipment to be acquired by marking the appropriate blank.

Quantity Device Type

- Cathode Ray Tube (CRT) Terminal
- Hard Copy Terminal
- Terminal Printer Slave
- Stand-Alone
- Modem
- Control Unit
- Concentrator
- Remote Job Entry (RJE) Terminal
- Front-end Processor
- Test equipment

9.2.2 Indicate the justification for requesting the acquisition.

- | | |
|--------------------|--------------------|
| New application(s) | Increased workload |
| Replacement | Expanded services |

Explain fully and give a general description of the application(s) for which this equipment will be used.

9.2.3 Supply a list of the locations at which the proposed equipment is to be installed; give address and town.

9.2.4 Specify the expected installation date(s), and describe the reason(s) for selecting this date(s).

9.2.5 State the number and types of terminals already installed at the installation. List these in groups by application.

9.2.6 List the various communications protocol that your installation can currently handle. List any new protocol planned for the near future at your installation.

9.2.7 Describe the impact this equipment will have on the overall performance of the installation. Include estimates of Central Processing Unit (CPU) requirements and channel utilization. State whether response time will be adversely affected, and the facts and assumptions used to conclude this.

9.2.8 Indicate whether more mass storage will be required in the foreseeable future because of this equipment.

9.2.9 Indicate what (if any) other requests are associated with this proposed acquisition, and include costs.

9.2.10 Indicate what line speeds are being used for existing terminals, and what line speed is intended for use with the proposed equipment.

9.2.11 Indicate whether this equipment will be bid. If so, attach specifications and skip to Subsection 9.2.16.

9.2.12 List the brands of communications equipment considered, the representative's name, and specifics of why each was, or was not chosen. Include equipment made by at least three manufacturers, more if possible.

9.2.13 State whether the proposed application was discussed with each representative listed in Subsection 9.2.12. Indicate whether each was given ample opportunity to explain his or her product's ability to perform this function. If not, explain.

9.2.14 Attach a copy of the requirements supplied to each vendor listed in Subsection 9.2.12.

9.2.15 List the communications equipment offered by each vendor in Subsection 9.2.12 and the prices quoted. Be consistent, listing all with maintenance prices for the same period of time, or all without maintenance prices.

9.2.16 State whether this equipment is to be leased or purchased.

9.2.17 Indicate the source of funds. If federal funds are involved, describe the plans made for continued funding after federal money stops.

9.2.18 Supply computer produced reports which show the number of transactions, by application, currently handled by your installation. Use current statistics for at least a week.

9.2.19 Supply your estimate of the number of transactions

the proposed equipment will handle per day, or week, and explain your rationale for this estimate.

9.2.20 Supply accounting information, produced by your computer, showing CPU and device utilization for the past month.

9.2.21 State whether you have a front-end processor, and whether this equipment will be used through the front-end processor.

9.2.22 State whether more communications ports will be needed, and indicate how many more ports can be added to your current controller after this expansion.

9.2.23 Describe any overriding justification, other than the number of transactions, for this proposed acquisition.

9.2.24 Provide the cost of site preparation made necessary by this proposed acquisition. Include electrical work, cabling, shipping costs, and installation costs.

9.2.25 State whether you anticipate the vendor or other outside sources to make software changes to accommodate the proposed equipment. If so, indicate the total cost.

9.2.26 State whether you anticipate the necessity for additional state employees to use this equipment. If so, indicate the number, by class, and the annual cost.

9.2.27 Indicate whether your staff will require special education to use the proposed equipment, and the cost.

9.2.28 Indicate whether this acquisition would impact supply costs. If so, describe how and the cost.

9.2.29 State whether this proposed acquisition was budgeted. If so, include copy of budget page reflecting same. If not, give detailed explanation of funding and include copy of BA-7.

LAC 1-9:10 Justification Guidelines for Procuring Initial Computer Equipment or Making Significant Changes to an Existing Installation

10.1 Included in this guideline is information to be provided when seeking the Data Processing Coordinating and Advisory Council's approval to make an initial acquisition, or significant change to an existing installation. Significant change is defined as a change causing one of the following:

- 10.1.1 Twenty percent or more reprogramming.
- 10.1.2 Twenty percent or more increase in computer capacity (either computer power or storage capacity).
- 10.1.3 Ten percent or more of total installation hardware cost (upward or downward).

Procedures to be followed in the acquisition of this type of equipment must be approved by the Data Processing Coordinating and Advisory Council prior to initiation by the agency.

10.2 In a request to the Council, be certain that each of the following requirements is completely met to avoid delays in approval:

10.2.1 Give a general description of the mission to be accomplished using the requested computer equipment.

10.2.2 Provide a list of proposed equipment, including quantities and estimated costs.

10.2.3 Tell what circumstance(s) instigated the need for the proposed equipment. Indicate how this equipment will alleviate the problem.

10.2.4 Indicate whether this is replacement equipment. If so, state the disposition of the replaced equipment. List the equipment to be displaced with associated rental and/or maintenance costs.

10.2.5 Provide the cost of site preparation made necessary by this proposed acquisition. Include building construction, electrical work, cabling, plumbing, air conditioning, labor, shipping costs, and installation costs.

10.2.6 State whether you anticipate the vendor or other outside sources to provide systems and programming work to facilitate the use of the proposed equipment. If so, state the total

cost.

10.2.7 State whether a need is anticipated for increasing your staff to use this equipment. If so, indicate the number, by classes, and the annual cost.

10.2.8 Indicate whether your staff will require special education to use the proposed equipment. If so, indicate the cost.

10.2.9 Indicate whether this acquisition will impact supply costs. If so, describe how and the cost.

10.2.10 Indicate what other (if any) requests are associated with this proposed acquisition, and include costs.

10.2.11 State whether you propose to lease or purchase this equipment. State the estimated cost for this fiscal year. If maintenance and installation costs are separate, provide those costs as well.

10.2.12 State whether this proposed acquisition was budgeted. If so, include copy of budget page reflecting this. If not, give detailed explanation of funding and include copy of BA-7.

10.2.13 Attach a copy of your "Request for Proposals" or "Invitation to Bid."

10.2.14 If this request is to change an existing installation, supply programmatically produced accounting information from your system. This information must include Central Processing Unit (CPU), memory (or paging rates, if applicable), channel and device utilization. The information is to be provided for the past month and the most recent "peak" month in your processing cycle. The information should be summarized on a daily basis and by shift if possible. Provide instructions for interpreting the reports.

10.2.15 Provide a list of each alternative considered. Provide an analysis of the reasoning and logic which resulted in the selection of the proposed equipment.

10.2.16 Provide an assessment of the expected life of this equipment. Consider the resource requirements due to current workload, historical growth trends, changes to current application software, new application software and new operating system software.

10.2.17 If this request is to change an existing installation, describe the impact this equipment will have on the performance of the installation. Supply the facts used to conclude this.

LAC 1-9:11 Justification Guidelines for Procuring Additional Computer Equipment

11.1 Included in this guideline is information to be provided when seeking the Data Processing Coordinating and Advisory Council's (DPCAC) approval to acquire computer equipment to be added to an existing installation. Note that communications equipment should be requested using guidelines developed especially for that purpose. Initial installations, or existing installations which will be changed significantly (requiring twenty percent more reprogramming, or twenty percent or more increase in computer capacity, or ten percent or more of total installation hardware cost) shall use guidelines created for that purpose. Procedures to be followed in the acquisition of this type of equipment must be approved by the DPCAC prior to initiation by the agency. It is advised that each agency become familiar with this guideline now rather than waiting until equipment is needed. Some information requires advance preparation; and, depending on the installation, perhaps programming, so that needed information can be captured. The DPCAC believes the required information, if not already available, will be most helpful in making day-to-day decisions as well as supporting a request for equipment.

11.2 In a request to the Council, be certain that each of the following requirements is completely met to avoid delays in approval:

11.2.1 Give a general description of the mission of the computer installation for which the equipment is requested.

11.2.2 Indicate the type of equipment to be acquired by

marking the appropriate blank.

Quantity	Device Type	Extended Cost
	Tape Drives	
	Disk Drives	
	Card Reader	
	Card Punch	
	Peripheral Control Unit	
	Optical Character Recognition Reader (OCR)	
	Printer	
	Add-on Memory	
	Other Specific	

11.2.3 Indicate the type of justification for requesting this acquisition.

New application(s)	Increased workload
Replacement	Expanded services

Explain fully. (If replacement, list the equipment to be displaced with associated rental and maintenance costs.) (If new application, provide a general description of the application(s).)

11.2.4 Indicate the expected installation date and state the reason.

11.2.5 Indicate whether this equipment is already a part of your installation configuration. Supply brand name, model number, and quantities of like devices installed.

11.2.6 Provide the cost of site preparation made necessary by this proposed acquisition. Include building construction, electrical work, air conditioning, cabling, plumbing, labor, shipping costs, and installation costs.

11.2.7 Indicate whether you anticipate the vendor or other outside sources to make software changes to accommodate the proposed equipment. If so, state total cost.

11.2.8 Indicate whether you anticipate the necessity of increasing your staff to use this equipment. If so, state the number, by class, and annual cost.

11.2.9 State whether your staff will require special education to use the proposed equipment. Indicate the cost of such education.

11.2.10 Indicate whether this acquisition will impact supply costs. State how, and for what cost.

11.2.11 Indicate what other (if any) requests are associated with this proposed acquisition. If so, explain what, why and the cost.

11.2.12 Describe the overall impact that this equipment will have on the performance of the installation. Include those facts used to conclude this.

11.2.13 Supply accounting information, produced by your computer, showing Central Processing Unit (CPU) and device utilization for the past month. Provide the information needed to interpret the report.

11.2.14 State whether you propose to lease or purchase this equipment. Include the cost for this fiscal year. If maintenance and installation costs are separate, provide these costs as well. If proposed acquisition is to be bid, give best approximation of cost.

11.2.15 State whether this proposed acquisition was budgeted. If so, include copy of the budget page reflecting same. If not, give detailed explanation of funding and include a copy of the BA-7.

11.2.16 Indicate whether this equipment will be bid. If so, attach specifications and skip remaining Subsections (11.2.17-11.2.19).

11.2.17 List the brands of equipment you considered, name of the vendor's representative, and specifics of why each was, or was not chosen. Include equipment made by at least three manufacturers, more if possible.

11.2.18 State whether you discussed this proposed acquisition with each representative listed in Subsection 11.2.17. Indicate whether you gave each ample opportunity to explain his or her product's ability to perform this function. If not, explain.

11.2.19 Attach a description of the equipment offered by each vendor in Subsection 11.2.17 and the prices quoted. Be consistent, listing all with maintenance prices for the same period of time, or all without maintenance prices.

LAC 1-9:12 Procedures for Procurement Support Team Operations

12.1 Purpose. The primary purpose of a procurement support team is to provide assistance to an agency involved in the procurement of data processing hardware, software, or related services. The procurement support team will assist an agency in three areas.

12.1.1 The members of the procurement support team individually have expertise in a number of areas. For example, members of the Data Processing Council staff are knowledgeable in data processing areas such as communications, hardware performance, and specialized software. The Attorney General's Office is equipped to provide advice with respect to specific legal language to be incorporated in procurement contracts.

12.1.2 The procurement support team should, by assisting the procuring agency in various specialized areas, significantly reduce the workload of the procuring agency in major acquisitions. Further, the fact that agencies which have statutory review and approval responsibilities are involved in the process from the outset should mean that problems are resolved as they arise, rather than surfacing at what would have otherwise been the end of a long and complex process.

12.1.3 The involvement of multidisciplinary expertise throughout the procurement process should enable the using agency to obtain the best possible results in the most economical way.

12.1.4 The existence and operation of procurement support teams should also be of general benefit to the state as a whole. Major expenditures are made each year for data processing hardware, software, and related services. The participation of a procurement support team should insure that each of these acquisitions is thoroughly reviewed, with the objective of determining that the proposed acquisition is a functional, necessary, and efficient approach to meeting real needs of state agencies. Furthermore, potential problems between vendors and users should be minimized by ensuring that procurement activities are conducted in compliance with all applicable laws and regulations, and represent the exercise of sound management judgment.

12.1.5 Over a period of time, it is anticipated that the procurement support team will lead to the development of an in-depth pool of expertise within state agencies. The availability of this reservoir of experience and talent will enable the state to deal more effectively with major vendors, who typically bring to their marketing and contracting activities a cadre of highly trained and experienced individuals.

12.1.6 As the procurement support team concept matures, the various agencies of the State should develop a better understanding of the role and functions of other agencies, and should be able to contribute significantly to the improvement of the procedures employed in the procurement of data processing hardware, software, and related services.

12.2 Procurement Support Team Composition.

12.2.1 A procurement support team shall be formed in ac-

cordance with the procedures defined herein for every contract for the procurement of data processing hardware, software, and related services, except in the case of small purchases, as required by Act 499 of the Regular Session of 1979. Purchase release orders issued pursuant to a Direct Order Contract shall not constitute a contract for purposes of these procedures. The formation of a procurement support team shall be accomplished by the Data Processing Coordinating and Advisory Council (DPCAC) staff, upon notice as required herein to the DPCAC. Upon receipt of the required notice, the DPCAC staff shall determine the type of support team appropriate to the contemplated contract, and shall notify the appropriate agencies of the planned formation of a team. Included in this notification shall be an estimate of the level of effort required, and any specific factors which the staff may deem appropriate to bring to the notice of each agency.

11.2.2 Upon receipt of notice from the DPCAC staff, each agency will confirm in writing to the DPCAC staff the name of the individual or individuals assigned to the particular team.

12.2.3 As required by Act 499, at least two members of each procurement support team shall have formal training in computer contract negotiations. The DPCAC, the Legislative Fiscal Office, the Attorney General's Office, and the Purchasing Office shall each designate in writing to the DPCAC the names of primary and an alternate team member, and shall ensure that at least one of these individuals has received formal training in computer contract negotiations not later than July 1, 1980. It shall thereafter be the responsibility of each named agency to keep the DPCAC advised of any changes in designated individuals, and to ensure that at least one of these individuals is trained in computer contract negotiations.

12.2.4 Each agency in the State which uses data processing hardware, software, and related services shall designate in writing to the DPCAC at least one individual who will be available to participate in procurement support teams. Each such agency is requested to have at least one individual trained in computer contract negotiations available at all times.

12.3 Responsibilities. This section will delineate the general guidelines for the level of participation of a procurement support team in an acquisition process. The threshold designated for each level of participation may be modified by the DPCAC in writing, when it is deemed in the best interest of the State to do so. The designation of the level of support for each request shall be accomplished by the DPCAC staff.

12.3.1 Level 1: Review-Oriented Participation. In cases where this level of participation is appropriate, each procurement support team participant other than the representative of the procuring agency will: receive drafts or copies of all relevant documents; provide to the team leader in writing comments and suggestions as appropriate; contribute specific materials as directed by the team leader; and verify by signature review of each phase of the process (i.e., specifications, invitations to bid, bids, and final contract). The team leader for this level of support will be designated by the procuring agency. This level of support will be appropriate for the following: procurement of individual items whose rental or purchase cost does not exceed that specified in Act 499 for items appropriate for direct order contracts (except for multi-year contracts.)

12.3.2 Level 2: Designated Individual Participation. At this level of procurement, the procurement support team leader will designate those individual participants who are to take an active part in the process, and of those participants who are to function at the review level. Those participants designated as having active roles will make specific contributions as specified by the team leader, in addition to performing their comment and review functions. All other team members will perform as described in Level 1. For example, where a procurement was being made from a vendor with whom the State had consummated a terms-and-conditions contract, the participation by the

Attorney General would probably be limited to review and comment. However, the DPCAC staff might well have considerable technical involvement in the drafting of final specifications. The team leader would be designated by the procuring agency. (The Attorney General's Office will be the procuring agency for all terms-and-conditions contracts, and the Purchasing Office will be the procuring agency for all direct order contracts.) Level 2 will be utilized for the procurement of all systems having a purchase value of not greater than one hundred thousand dollars or a monthly rental value of not greater than ten thousand dollars. In addition, this level will be used for all individual items whose cost exceeds the threshold established for Level 1 items, and for all multi-year contracts except those for which Level 3 support is required.

12.3.3 Level 3: Full Procurement Support Team Involvement. Procurements requiring this level of support will involve the active participation of all of the members of the procurement support team as a unit. There will be at least one joint meeting per phase during the process. The procurement support team will make written evaluations and recommendations as a group; these will not supplant written individual agency approvals as required by statute or regulations. The activities of the team will be conducted in accordance with a written plan developed at the initial meeting of the team. The team leader for Level 3 procurements will be designated by the procuring agency. This level of involvement will be required for all systems whose cost exceeds the threshold established for Level 2 procurements, for all multi-year contracts for systems and for all multi-year contracts involving expenditures of ten thousand dollars a month or greater.

12.3.4 Level 4: Emergency Procurements. Notwithstanding the guidelines established in Subsections 12.3.1 - 12.3.3 above, procurements under emergency conditions (as defined by the DPCAC) will involve a procurement support team designated by the DPCAC staff. Agencies and individual team members may be contacted by telephone, and make oral recommendations and comments. Such oral recommendations or comments shall be confirmed in writing as early as possible. A final written evaluation shall be presented to the DPCAC staff prior to DPCAC approval of any emergency procurement. Procurement support team members participating in emergency procurement shall participate in a follow-up meeting, at which time a written evaluation of the process will be prepared and forwarded to the DPCAC.

12.3.5 The procurement support team will be a purely advisory body. All decisions with respect to a procurement process will be made by the procuring agency. Such decisions will of course be subject to the review and approval of other agencies as required by statute or regulations. The approval or acceptance of a particular procedure by a procurement support team member is not to be construed as approval by the agency which that team member represents, in those cases where formal agency approval of the final agreements is required.

12.3.6 In situations where formal negotiations with prospective vendors, or a successful bidder, is appropriate, such negotiations will be conducted by a negotiations team appointed by the procurement support team leader. One member of the negotiating team will be designated as lead negotiator. The procuring agency will establish in writing the authority and constraints under which the negotiating team will operate, and within these constraints, the negotiating team shall have full authority to deal with the other party or parties. The results of such negotiations will, of course, be subject to all statutory required reviews. The lead negotiator and at least one other member of the negotiating team must have formal training in computer contract negotiations.

12.3.7 The individual agencies represented on procurement support teams will have the following primary responsibilities. These responsibilities may be enlarged or modified as appropriate

to each given situation by the procurement support team leader, with the concurrence of the DPCAC:

A. DPCAC. The DPCAC shall have primary responsibility for providing advice and support in the area of data processing techniques, negotiations techniques, developing the structure and content of invitations to bid (ITB), and drafting of technical specifications.

B. Legislative Fiscal Office. The Legislative Fiscal Office shall have primary responsibility for the financial analysis of ITB's and bids, and for review of funding procedures.

C. Attorney General's Office. The Attorney General's Office shall have primary responsibility for developing the legal terms and conditions of draft contracts, evaluating the legal impact of substantive terms and conditions, review to insure compliance with statutes and regulations, and legal negotiations.

D. Purchasing Office. The Purchasing Office shall have primary responsibility for ensuring compliance with procurement procedures and regulations, the drafting of invitations to bid, and the evaluation of bids.

E. The Procuring Agency. The procuring agency shall have primary responsibility for the determination of the compliance of bids with these functional requirements, and for all management decisions at each phase of the procurement process.

12.4 Procedures. Each procurement activity covered by Act 499 shall be conducted in accordance with the following procedures:

12.4.1 Each agency contemplating a procurement covered by the provisions of Act 499 shall, upon definition of the preliminary functional requirements and prior to the drafting of specifications, notify the DPCAC in writing of the intended procurement. The DPCAC shall then make a determination as to the best available method of satisfying the agency's requirements (e.g., by transferring equipment from another agency, or by issuance of invitations to bid). If the Council determines that the bidding procedure is most appropriate, it shall authorize the procuring agency to proceed.

12.4.2 The DPCAC staff, pursuant to the guidelines established herein, shall identify the level of support required, notify the appropriate agencies, and obtain from those agencies the names of the individual designated to participate on this particular procurement support team. The DPCAC staff will then designate a team leader, ensure that at least two members of the procurement support team have received formal training in computer contract negotiations, and forward to the team leader the names of the other team members, along with any information received from the procuring agency.

12.4.3 The team leader will establish a schedule for the procurement activity, define the roles and task of each team member, and establish a project file. The procuring agency and all team members are responsible for ensuring that the team leader receives a copy of all correspondence and documentation.

12.4.4 The team leader will maintain a file containing all documentation and correspondence relating to the procurement. At the end of the process one copy will be provided to the procuring agency and one copy will be retained on file by the DPCAC. The team leader will make written status reports at the end of each phase to the DPCAC staff. Such status reports shall be presented to the DPCAC at each regular meeting.

12.4.5 Each member of the procurement support team must review as a minimum the final specifications, the invitation to bid, the bids, any formal bid evaluation, and the final contract. At a minimum, this review must be indicated by the signature of each team member. Where team evaluations are made, each team member must sign the evaluation, or his or her designating or qualifying reports. Specifically, in situations involving Level 1 support the signature of each team member is the only evidence

of review required. In Level 2 support activities and in emergency procurements, a written signed individual comment is required. In Level 3 support activities, a formal team evaluation is required.

12.4.6 In the event that a team member indicates acceptance or concurrence of any activity, and that team member's agency subsequently refuses to approve the process pursuant to its statutorily required review, the reviewing agency and the individual team member must submit to the team leader written reasons for their actions. The team leader shall file these documents in the final activity file.

12.4.7 After a procurement process has been completed, team members and the procuring agency are encouraged to submit written evaluations and comments of the process, and suggestions for future improvements. Such evaluations, comments, and suggestions shall be sent to the DPCAC.

12.4.8 In situations where a negotiating team is appropriate, the negotiations shall be conducted pursuant to a written plan. Upon the completion of negotiations, the lead negotiator shall submit a written report describing the negotiations and their results to the team leader. This report shall be maintained in the activity file.

LAC 1-9:13 Regulations for Disposing of Leased, Rented or Purchased Data Processing Equipment

13.1 When a decision has been reached in which leased, rented or purchased equipment will be released, the following regulations will apply:

13.1.1 The Data Processing Coordinating and Advisory Council (DPCAC) will be notified as soon as possible, but at least ninety days prior to release. This notification should include make, model, serial number, quantity, features, condition of equipment, availability, and if leased or rented, the lessor, monthly cost, and cost to exercise purchase option.

13.1.2 At time of notification, the staff of the DPCAC shall as a minimum provide each of the twenty departments in the executive branch, the Legislative Fiscal Office, the State colleges and universities and the Vocational Technical specialist on the Board of Elementary and Secondary Education with a Notification of Availability.

13.1.3 If any unit of state government wishes to obtain such equipment, they should make their desire known to the DPCAC staff. To be included with such notification should be the proper justification as outlined in the DPCAC justification guidelines found in LAC 1-9:9, 1-9:10 and 1-9:11.

13.1.4 The DPCAC staff will review all applications for equipment and make recommendations to the Council. These recommendations and the Council's decision will be based in large measure on the justification offered.

13.1.5 If no suitable application for the equipment is found, the DPCAC will take steps to dispose of it in one of the following ways:

A. If the equipment is rented or leased and has minimal purchase credits, return it to the lessor.

B. If the equipment is rented or leased and has enough purchase credits and residual value to provide a reasonable margin of profit, it shall be advertised in the proper trade publications and offered to known purchasers of data processing equipment. Such offers will go to the highest bidder with the stipulation that the State can reject all bids. Regular bid procedure will be followed.

C. If the equipment is owned by the State and has little value, it will be turned over to the Division of Administration, Surplus Property, for their disposal.

D. If the equipment is owned and has residual value justifying the action, it shall be advertised in the proper trade publications and offered to known purchasers of data processing

equipment. Such offers will go to the highest bidder with the stipulation that the State can reject all bids. Regular bid procedure will be followed.

E. Offers by vendors to accept the equipment in trade will be evaluated against current market value as determined by the DPCAC staff by telephone inquiry to known purchasers of such equipment. If the trade-in allowance meets or exceeds current market value less cost of disposal including but not limited to cost of advertising, it shall be offered as a trade-in. Otherwise, it shall be disposed of as outlined in Subsection 13.1.5D above. Written evidence of the best means of disposal shall be provided to the DPCAC by its staff.

13.1.6 Proceeds from sales outlined above will be returned to the State's General Fund, minus any expenses incurred selling the equipment.

13.1.7 The DPCAC staff will dispose of all equipment with a residual value of less than ten thousand dollars, using the procedures indicated in Subsections 13.1.3, 13.1.4, and 13.1.5 above, independent of formal Council action.

13.1.8 Records relating to these transactions will be turned over to the Legislative Auditor.

LAC 1-9:14 Rules and Regulations Governing Emergency Procurement of Data Processing Equipment (Pursuant to LA R.S. 39:1998)

14.1 General.

14.1.1 Definition of Emergency. An "emergency" is defined as a situation wherein data processing equipment being used for production purposes by a State agency becomes suddenly and unexpectedly unavailable or unusable, with no reasonable prospect of reavailability or reuseability within thirty days; or, where data processing equipment scheduled for delivery to a State agency will not become available in time to prevent a serious disruption of services or loss of revenue.

14.1.2 Declaration of Emergency. An emergency situation must be declared by the head of the agency operating the affected equipment. The declaration shall state the nature of the emergency, the apparent cause or causes, the anticipated effects, and shall list the items of equipment involved. The notice shall be addressed to the Data Processing Coordinating and Advisory Council (DPCAC) and the Purchasing Office.

14.1.3 Planning Requirements. All State data processing installations shall maintain a current disaster plan which incorporates plans for dealing with an emergency as defined in Subsection 14.1.1 above. This plan shall be filed with the DPCAC and shall be updated at least annually. When equipment is being rented or leased, or in any case where title to the equipment does not rest with the State, the supplier shall be required to state in contractual form that the equipment supplied to the State is fully insured (or provide satisfactory evidence of self-insurance); and the supplier's plans and capabilities to replace the equipment in the event of an emergency.

14.2 Rented or Leased Equipment.

14.2.1 Replacement pursuant to Contract. When equipment rented or leased to the State must be replaced due to an emergency, the renter or lessor shall be the source of the replacement if the requirements of Subsection 14.1.3 provide for suitable replacement. In this case, no additional procurement procedures shall be required, but a final report shall be submitted by the using agency to the DPCAC and to the Purchasing Office.

14.2.2 Replacement other than by Contract. When either no contract exists (per Subsection 14.1.3) or the vendor cannot adequately replace the equipment pursuant to a contract, equipment may be rented or leased through the following procedures:

A. The using agency shall notify the DPCAC in writing that this procedure is necessary.

B. The DPCAC Executive Director will promptly designate a Procurement Support Team suitable to the situation.

C. The Procurement Support Team will prepare specifications for the replacement equipment.

D. The Procurement Support Team will contact as many potential vendors as is possible within three working days. Quotations will be obtained from as many as possible. Oral quotations must be confirmed in writing.

E. The Procurement Support Team will evaluate the responses of vendors, and make a recommendation to the using agency. The Team shall consider all relevant factors, including maintenance, support, transportation costs, and vendor background.

F. The using agency shall select a vendor. Oral notification to the vendor must be confirmed in writing. The agency decision and rationale must be submitted to the DPCAC in writing.

G. A situation report, evaluating the procurement activity, shall be made by the DPCAC staff.

H. All contracts must receive all statutorily required approvals prior to becoming effective.

14.3 Purchased Equipment.

14.3.1 Replacement with Rented Equipment. When, in the opinion of the head of the using agency, as expressed in writing, it would be to the advantage of the agency (either operationally or financially), purchased equipment lost in an emergency situation may be replaced with equipment rented on a short-term (no more than twenty-four months) basis. In this case, the procedure set forth in Subsection 14.1.2 shall be employed.

14.3.2 Replacement of Purchased Equipment. Purchase of equipment in an emergency situation shall follow all statutes and regulations governing equipment purchases generally, with the following exceptions:

A. Specifications may be supplied to potential vendors directly, without the need for advertising. Every effort shall be made to reach as many potential vendors as possible. Advertising may be used. Telegram specifications shall be confirmed by mail.

B. The only delays and response times shall be as established by the Procurement Support Team.

C. Vendor quotations may be supplied orally. Oral quotations shall be confirmed in writing.

D. A situation report, evaluating the procurement activity, shall be made by the DPCAC staff.

LAC 1-9:15 **Unscheduled Maintenance of Data Processing Equipment**

15.1 The Data Processing Coordinating and Advisory Council will not enter into the approval process for unscheduled maintenance of data processing equipment, provided it is performed by representatives of the equipment's manufacturer or the manufacturer's authorized dealer or a repair service which has a duly executed contract to maintain that equipment.

15.2 The Data Processing Coordinating and Advisory Council reserves the right to require reports on, and to audit use of, unscheduled maintenance in any agency which operates under the provisions of Act 599 of the 1977 Regular Session.

15.3 Unscheduled maintenance for the purpose of this policy is defined as maintenance performed which does not fall under the provisions of any maintenance agreement.

Thomas G. Hagan, Executive Director
Data Processing Coordinating and
Advisory Council

RULE

Department of Health and Human Resources Board of Examiners of Psychologists

The State Board of Examiners of Psychologists has adopted the following Ethical Standards of Psychologists, and Policy on Written Examination:

Ethical Standards of Psychologists

Preamble. Psychologists respect the dignity and worth of the individual and honor the preservation and protection of fundamental human rights. (A student of psychology who assumes the role of a psychologist shall be considered a psychologist for the purpose of this code of ethics.) They are committed to increasing knowledge of human behavior and of people's understanding of themselves and others and to the utilization of such knowledge for the promotion of human welfare. While pursuing these endeavors, they make every effort to protect the welfare of those who seek their services or of any human being or animal that may be the object of study. They use their skills only for purposes consistent with these values and do not knowingly permit their misuse by others. While demanding for themselves freedom of inquiry and communication, psychologists accept the responsibility this freedom requires: competence, objectivity in the application of skills and concern for the best interests of clients, colleagues, and society in general. In the pursuit of these ideals, psychologists subscribe to principles in the following areas: 1. Responsibility, 2. Competence, 3. Moral and Legal Standards, 4. Public Statements, 5. Confidentiality, 6. Welfare of the Consumer, 7. Professional Relationships, 8. Utilization of Assessment Techniques, and 9. Pursuit of Research Activities.

Principle 1 — Responsibility. In their commitment to the understanding of human behavior, psychologists value objectivity and integrity, and in providing services they maintain the highest standards of their profession. They accept responsibility for the consequences of their work and make every effort to insure that their services are used appropriately.

A. As scientists, psychologists accept the ultimate responsibility for selecting appropriate areas and methods most relevant to these areas. They plan their research in ways to minimize the possibility that their findings will be misleading. They provide thorough discussion of the limitations of their data and alternative hypotheses, especially where their work touches on social policy or might be construed to the detriment of persons in specific age, sex, ethnic, socioeconomic or other social groups. In publishing reports of their work, they never suppress disconfirming data. Psychologists take credit only for the work they have actually done.

Psychologists clarify in advance with all appropriate persons or agencies the expectations for sharing and utilizing research data. They avoid dual relationships which may limit objectivity, whether political or monetary, so that interference with data, human participants, and milieu is kept to a minimum.

B. As employees of an institution or agency, psychologists have the responsibility of remaining alert to and attempting to moderate institutional pressures that may distort reports of psychological findings or impede their proper use.

C. As members of governmental or other organizational bodies, psychologists remain accountable as individuals to the highest standards of their profession.

D. As teachers, psychologists recognize their primary obligation to help others acquire knowledge and skill. They maintain high standards of scholarship and objectivity by presenting psychological information fully and accurately.

E. As practitioners, psychologists know that they bear a heavy social responsibility because their recommendations and professional actions may alter the lives of others. They are alert to personal, social, organizational, financial, or political situations or pressures that might lead to misuse of their influence.

F. Psychologists provide adequate and timely evaluations to employees, trainees, students, and others whose work they supervise.

Principle 2 — Competence. The maintenance of high standards of professional competence is a responsibility shared by all psychologists in the interest of the public and the profession as a whole. Psychologists recognize the boundaries of their competence and the limitations of their techniques and only provide services, use techniques, or offer opinions as professionals that meet recognized standards. Psychologists maintain knowledge of current scientific and professional information related to the services they render.

A. Psychologists accurately represent their competence, education, training and experience. Psychologists claim as evidence of professional qualifications only those degrees obtained from institutions acceptable under the Bylaws and Rules of Council of the American Psychological Association (APA).

B. As teachers, psychologists perform their duties on the basis of careful preparation so that their instruction is accurate, current and scholarly.

C. Psychologists recognize the need for continuing education and are open to new procedures and changes in expectations and values over time. They recognize differences among people, such as those that may be associated with age, sex, socioeconomic, and ethnic backgrounds. Where relevant, they obtain training, experience, or counsel to assure competent service or research relating to such persons.

D. Psychologists with the responsibility for decisions involving individuals or policies based on test results have an understanding of psychological or educational measurement, validation problems and other test research.

E. Psychologists recognize that their effectiveness depends in part upon their ability to maintain effective interpersonal relations, and that aberrations on their part may interfere with their abilities. They refrain from undertaking any activity in which their personal problems are likely to lead to inadequate professional services or harm to a client; or, if engaged in such activity when they become aware of their personal problems, they seek competent professional assistance to determine whether they should suspend, terminate or limit the scope of their professional and/or scientific activities.

Principle 3 — Moral and Legal Standards. Psychologists' moral, ethical and legal standards of behavior are a personal matter to the same degree as they are for any other citizen, except as these may compromise the fulfillment of their professional responsibilities, or reduce the trust in psychology or psychologists held by the general public. Regarding their own behavior, psychologists should be aware of the prevailing community standards and of the possible impact upon the quality of professional services provided by their conformity to or deviation from these standards. Psychologists are also aware of the possible impact of their public behavior upon the ability of colleagues to perform their professional duties.

A. Psychologists as teachers are aware of the diverse backgrounds of students and, when dealing with topics that may give offense, treat the material objectively and present it in a manner for which the student is prepared.

B. As employees, psychologists refuse to participate in practices inconsistent with legal, moral and ethical standards regarding the treatment of employees or of the public. For example, psychologists will not condone practices that are inhumane or that result in illegal or otherwise unjustifiable discrimination on the basis of race, age, sex, religion, or national origin in hiring, promotion, or training.

C. In providing psychological services, psychologists avoid any action that will violate or diminish the legal and civil rights of clients or of others who may be affected by their actions.

As practitioners, psychologists remain abreast of relevant federal, state, local, and agency regulations and Association standards of practice concerning the conduct of their practice. They are

concerned with developing such legal and quasi-legal regulations as best serve the public interest and in changing such existing regulations as are not beneficial to the interests of the public and the profession.

D. As researchers, psychologists remain abreast of relevant federal and state regulations concerning the conduct of research with human participants or animals.

Principle 4 — Public Statements. Public statements, announcements of services, advertising, and promotional activities of psychologists serve the purpose of providing sufficient information to aid the consumer public in making informed judgments and choices. Psychologists represent accurately and objectively their professional qualifications, affiliations, and functions, as well as those of the institutions or organizations with which they or the statements may be associated. In public statements providing psychological information or professional opinions or providing information about the availability of psychological products, publications, and services, psychologists base their statements on scientifically acceptable psychological findings and techniques with full recognition of their limits and uncertainties.

A. When announcing or advertising professional services, psychologists may list the following information as a description of provider and services provided: name, highest relevant academic degree earned from a regionally accredited institution, date, type and level of certification or licensure, diplomate status, APA membership status, address, telephone number, office hours, a brief listing of the type of psychological services offered, an appropriate presentation of fee information, foreign languages spoken, and policy with regard to third-party payments. Additional relevant or important consumer information may be included if not prohibited by other sections of the Ethical Standards.

B. In announcing or advertising the availability of psychological products, publications, or services, psychologists do not display any affiliations with an organization in a manner that falsely implies the sponsorship or certification of that organization. In particular and for example, psychologists do not state APA membership or fellowship in a way that implies specialized professional competence or qualifications. Public statements, defined herein to include, but not be limited to, communication by means of newspaper, book, list, directory, television, radio, or motion picture, shall not contain: a false, fraudulent, misleading, deceptive, or unfair statement; a misinterpretation of fact; a statement likely to mislead or deceive because in context it makes only a partial disclosure of relevant facts; a statement containing a client's laudatory statements about psychologists, their services, or products; a statement intended or likely to create false or unjustified expectations or favorable results; a statement implying unusual, unique, or one-of-a-kind abilities; a statement intended or likely to appeal to a client's fears, anxieties, or emotions concerning the possible results of the consumer's failure to obtain the offered services; a statement concerning the comparative desirability of offered service; a statement of direct solicitation of individual clients.

C. A psychologist shall not compensate or give anything of value to a representative of the press, radio, television, or other communication medium in anticipation of or in return for professional publicity in a news item. A paid advertisement must be identified as such unless it is apparent from the context that it is a paid advertisement. If the paid advertisement is communicated to the public by use of radio or television, it shall be prerecorded and approved for broadcast by the psychologist and a recording of the actual transmission shall be retained by the psychologist.

D. Announcements or advertisements of "personal growth groups" give a clear statement of purpose and the nature of the experiences to be provided. The education, training, and experience of the staff members are appropriately specified.

E. Psychologists associated with the development or promotion of psychological devices, books, or other products offered for commercial sale make reasonable efforts to insure that announcements and advertisements are presented in a professional,

scientifically acceptable, and factually informative manner.

F. Psychologists do not participate for personal gain in commercial announcements or advertisements recommending to the general public the purchase or use of any proprietary or single-source product or service.

G. Psychologists present the science of psychology and offer their services, products, and publications fairly and accurately, avoiding misrepresentation through sensationalism, exaggeration, or superficiality. Psychologists are guided by the primary obligation to aid the public in forming their own informed judgments, opinions, and choices.

H. As teachers, psychologists insure that statements in catalogs and course outlines are accurate and not misleading, particularly in terms of subject matter to be covered, bases for evaluating progress, and nature of course experiences. Announcements, brochures, or advertisements describing workshops, seminars, or other educational programs accurately represent intended audience and eligibility requirements, educational objectives, and nature of the material to be covered, as well as the education, training, and experience of the psychologists presenting the programs, and any fees involved. Public announcements or advertisements soliciting subjects for research, and in which clinical services or other professional services are offered as an inducement, make clear the nature of the services as well as the costs and other obligations to be accepted by the human participants of the research.

I. Psychologists accept the obligation to correct others who may represent the psychologist's professional qualifications or associations with products or services in a manner incompatible with these guidelines.

J. Psychological services and products for the purpose of diagnosing, treating, or giving personal advice to particular individuals are provided only in the context of a professional relationship and are not given by means of public lectures or demonstrations, newspaper or magazine articles, radio or television programs, mail, or similar media.

Principle 5 — Confidentiality. Safeguarding information about an individual that has been obtained by the psychologist in the course of his teaching, practice, or investigation is a primary obligation of the psychologist. Such information is not communicated to others unless certain important conditions are not met.

A. Information received in confidence is revealed only after most careful deliberation and when there is clear and imminent danger to an individual or to society, and then only to appropriate professional workers or public authorities.

B. Information obtained in clinical or consulting relationships, or evaluative data concerning children, students, employees, and others are discussed only for professional purposes and only with persons clearly concerned with the case. Written and oral reports should present only data germane to the purposes of the evaluation and every effort should be made to avoid undue invasion of privacy.

C. Clinical and other materials are used in classroom teaching and writing only when the identity of the persons involved is adequately disguised.

D. The confidentiality of professional communications about individuals is maintained. Only when the originator and other persons involved give their express permission is a confidential professional communication shown to the individual concerned. The psychologist is responsible for informing the client of the limits of the confidentiality.

E. Only after explicit permission has been granted is the identity of research subjects published. When data have been published without permission for identification, the psychologist assumes responsibility for adequately disguising their sources.

F. The psychologist makes provisions for the maintenance of confidentiality in the prevention and ultimate disposition of confidential records.

Principle 6 — Welfare of the Consumer. Psychologists respect the integrity and protect the welfare of the people and groups with whom they work. When there is a conflict of interest between the client and the psychologist's employing institution, psychologists clarify the nature and direction of their loyalties and responsibilities and keep all parties informed of their commitments. Psychologists fully inform consumers as to the purpose and nature of an evaluative, treatment, educational or training procedure, and they freely acknowledge that clients, students, or participants in research have freedom of choice with regard to participation.

A. Psychologists are continually cognizant of their own needs and of their inherently powerful position vis a vis clients, in order to avoid exploiting their trust and dependency. Psychologists make every effort to avoid dual relationships with clients and/or relationships which might impair their professional judgment or increase the risk of client exploitation. Examples of such dual relationships include treating employees, supervisees, close friends or relatives. Sexual intimacies with clients are unethical.

B. Where demands of an organization on psychologists go beyond reasonable conditions of employment, psychologists recognize possible conflicts of interest that may arise. When such conflicts occur, psychologists clarify the nature of the conflict and inform all parties of the nature and direction of the loyalties and responsibilities involved.

C. When acting as a supervisor, trainer, researcher, or employer, psychologists accord informed choice, confidentiality, due process, and protection from physical and mental harm to their subordinates in such relationships.

D. Financial arrangements in professional practice are in accord with professional standards that safeguard the best interests of the client and that are clearly understood by the client in advance of billing. Psychologists are responsible for assisting clients in finding needed services in those instances where payment of the usual fee would be a hardship. No commission, rebate, or other form of remuneration may be given or received for referral of clients for professional services, whether by an individual or by an agency. Psychologists willingly contribute a portion of their services to work for which they receive little or no financial return.

E. The psychologist attempts to terminate a clinical or consulting relationship when it is reasonably clear that the consumer is not benefiting from it. Psychologists who find that their services are being used by employers in a way that is not beneficial to the participants or to employees who may be affected, or to significant others, have the responsibility to make their observations known to the responsible persons and to propose modification or termination of the engagement.

Principle 7 — Professional Relationships. Psychologists act with due regard for the needs, special competencies and obligations of their colleagues in psychology and other professions. Psychologists respect the prerogatives and obligations of the institutions or organizations with which they are associated.

A. Psychologists understand the areas of competence of related professions, and make full use of all the professional, technical, and administrative resources that best serve the interests of consumers. The absence of formal relationships with other professional workers does not relieve psychologists from the responsibility of securing for their clients the best possible professional service nor does it relieve them from the exercise of foresight, diligence, and tact in obtaining the complementary or alternative assistance needed by clients.

B. Psychologists know and take into account the traditions and practices of other professional groups with which they work and cooperate fully with members of such groups. If a consumer is receiving services from another professional, psychologists do not offer their services directly to the consumer without first informing the professional person already involved so that the risk of confusion and conflict for the consumer can be avoided.

C. Psychologists who employ or supervise other professionals

or professionals in training accept the obligation to facilitate their further professional development by providing suitable working conditions, consultation, and experience opportunities.

D. As employees of organizations providing psychological services, or as independent psychologists serving clients in an organizational context, psychologists seek to support the integrity, reputation and proprietary rights of the host organization. When it is judged necessary in a client's interest to question the organization's programs or policies, psychologists attempt to effect change by constructive action within the organization before disclosing confidential information acquired in their professional roles.

E. In the pursuit of research, psychologists give sponsoring agencies, host institutions, and publication channels the same respect and opportunity for giving informed consent that they accord to individual research participants. They are aware of their obligation to future research workers and insure that host institutions are given adequate information about the research and proper acknowledgement of their contributions.

F. Publication credit is assigned to all those who have contributed to a publication in proportion to their contribution. Major contributions of a professional character made by several persons to a common project are recognized by joint authorship, with the experimenter or author who made the principal contribution identified and listed first. Minor contributions of a professional character, extensive clerical or similar nonprofessional assistance, and other minor contributions are acknowledged in footnotes or in an introductory statement. Acknowledgement through specific citations is made for unpublished as well as published material that has directly influenced the research or writing. A psychologist who compiles and edits material of others for publication publishes the material in the name of the originating group, if any, and with his/her own name appearing as chairperson or editor. All contributors are to be acknowledged and named.

G. When a psychologist violates ethical standards, psychologists who know first-hand of such activities should, if possible, attempt to rectify the situation. Failing an informal solution, psychologists bring such unethical activities to the attention of the appropriate local, state, and/or national committee on professional ethics, standards, and practices.

H. Members of the Association cooperate with duly constituted committees of the Association, in particular and for example, the Committee on Scientific and Professional Ethics and Conduct, and the Committee on Professional Standards Review, by responding to inquiries promptly and completely. Members taking longer than thirty days to respond to such inquiries shall have the burden of demonstrating that they acted with "reasonable promptness." Members also have a similar responsibility to respond with reasonable promptness to inquiries from duly constituted state association ethics committees and professional standards review committees.

Principle 8 — Utilization of Assessment Techniques. In the development, publication, and utilization of psychological assessment techniques, psychologists observe relevant APA standards. Persons examined have the right to know the results, the interpretations made, and, where appropriate, the original data on which final judgments were based. Test users avoid imparting unnecessary information which would compromise test security, but they provide requested information that explains the basis for decisions that may adversely affect that person or that person's dependents.

A. The client has the right to have and the psychologist has the responsibility to provide explanations of the nature and the purposes of the test and the test results in language that the client can understand, unless, as in some employment or school settings, there is an explicit exception to this right agreed upon in advance. When the explanations are to be provided by others, the psychologist establishes procedures for providing adequate explanations.

B. When a test is published or otherwise made available for operational use, it is accompanied by a manual (or other published

or readily available information) that fully describes the development of the test, the rationale, and evidence of validity and reliability. The test manual explicitly states the purposes and applications for which the test is recommended and identifies special qualifications required to administer the test and to interpret it properly. Test manuals provide complete information regarding the characteristics of the normative population.

C. In reporting test results, psychologists indicate any reservations regarding validity of reliability resulting from testing circumstances or inappropriateness of the test norms for the person tested. Psychologists strive to insure that the test results and their interpretations are not misused by others.

D. Psychologists accept responsibility for removing from clients' files test score information that has become obsolete, lest such information be misused or misconstrued to the disadvantage of the person tested.

E. Psychologists offering test scoring and interpretation services are able to demonstrate that the validity of the programs and procedures used in arriving at interpretations are based on appropriate evidence. The public offering of an automated test interpretation service is considered as a professional-to-professional consultation. The psychologist makes every effort to avoid misuse of test reports.

Principle 9 — Pursuit of Research Activities. The decision to undertake research should rest upon a considered judgment by the individual psychologist about how best to contribute to psychological science and to human welfare. Psychologists carry out their investigations with respect for the people who participate and with concern for their dignity and welfare.

A. In planning a study the investigator has the responsibility to make a careful evaluation of its ethical acceptability, taking into account the following additional principles for research with human beings. To the extent that this appraisal, weighing scientific and humane values, suggests a compromise of any principle, the investigator incurs an increasingly serious obligation to seek ethical advice and to observe stringent safeguards to protect the rights of the human research participants.

B. Responsibility for the establishment and maintenance of acceptable ethical practice in research always remains with the individual investigator. The investigator is also responsible for the ethical treatment of research participants by collaborators, assistants, students, and employees, all of whom, however, incur parallel obligations.

C. Ethical practice requires the investigator to inform the participant of all features of the research that might reasonably be expected to influence willingness to participate, and to explain all other aspects of the research about which the participant inquires. Failure to make full disclosure imposes additional force to the investigator's abiding responsibility to protect the welfare and dignity of the research participant.

D. Openness and honesty are essential characteristics of the relationship between investigator and research participant. When the methodological requirements of a study necessitate concealment or deception, the investigator is required to insure as soon as possible the participant's understanding of the reasons for this action and of a sufficient justification for the procedures employed.

E. Ethical practice requires the investigator to respect the individual's freedom to decline to participate in or withdraw from research. The obligation to protect this freedom requires special vigilance when the investigator is in a position of power over the participant, as, for example, when the participant is a student, client, employee, or otherwise is in a dual relationship with the investigator.

F. Ethically acceptable research begins with the establishment of a clear and fair agreement between the investigator and the research participant that clarifies the responsibilities of each. The investigator has the obligation to honor all promises and commitments included in that agreement.

G. The ethical investigator protects participants from physical

and mental discomfort, harm, and danger. If a risk of such consequences exists, the investigator is required to inform the participant of that fact, secure consent before proceeding, and take all possible measures to minimize distress. A research procedure must not be used if it is likely to cause serious or lasting harm to a participant.

H. After the data are collected, the investigator provides the participant with information about the nature of the study and to remove any misconceptions that may have arisen. Where scientific or human values justify delaying or withholding information, the investigator acquires a special responsibility to assure that there are no damaging consequences for the participant.

I. When research procedures may result in undesirable consequences for the individual participant, the investigator has the responsibility to detect and remove or correct these consequences, including, where relevant, long-term after effects.

J. Information obtained about the individual research participants during the course of an investigation is confidential unless otherwise agreed in advance. When the possibility exists that others may obtain access to such information, this possibility, together with the plans for protecting confidentiality, be explained to the participants as part of the procedure for obtaining informed consent.

K. A psychologist using animals in research adheres to the provisions of the Rules Regarding Animals, drawn up by the Committee on Precautions and Standards in Animal Experimentation and adopted by the American Psychological Association.

L. Investigations of human participants using drugs should be conducted only in such settings as clinics, hospitals, or research facilities maintaining appropriate safeguards for the participants.

Written Examination

Pursuant to R.S. 37:2353C(1) and 37:2356D, the written portion of the examination of the Louisiana State Board of Examiners of Psychologists shall be the Examination for the Professional Practice of Psychology as constructed by the American Association of State Psychology Boards.

Dr. Wayne Greenleaf, Chairman
Board of Examiners of Psychologists

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has adopted a rule which requires the following disclosure of information by institutions and organizations providing Medicaid services:

1. Medicaid providers and fiscal intermediaries/agents are required to disclose to the Medical Assistance Program certain information about owners, employees, and suppliers (i.e., identification of owners' names, common ownership, ownership in a sub-contractor.)

2. The Medical Assistance Program is authorized to refuse to enter into or renew an agreement with a provider if any of its owners, officers, directors, agents, or managing employees have been convicted of a criminal offense involving any of the programs under Titles XVIII, XIX, or XX of the Social Security Act.

3. The Medical Assistance Program is authorized to terminate an agreement with a provider who fails to disclose fully and accurately the identity of any of its owners, officers, directors, agents, or managing employees who have been convicted of a program-related criminal offense at the time of entering into the agreement.

4. In addition to the Louisiana Medical Assistance Program, the Secretary of the Department of Health, Education, and Welfare has been authorized to have access to Medicaid provid-

ers' records.

5. The State Medicaid Fraud Control Unit has been authorized to have direct access to Medicaid providers' records rather than having access to them through the Medical Assistance Program.

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

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has adopted a rule which requires the timely submittal of claims for durable medical equipment by Medicaid providers within six months from the date of service.

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

RULE

Department of Health and Human Resources Office of Human Development

The Department of Health and Human Resources (DHHR) has adopted final amendments to the Social Services (Title XX) Comprehensive Annual Services Plan (CASP) for the program year July 1, 1979, through June 30, 1980.

The final amendments are:

1. A single sliding fee schedule for the Title XX services of Out of Home Respite Care, Family Aide Services, and Family Education and Training Services. The single sliding scale is more fairly related to the income of the users of these Title XX services. In addition, the use of a single schedule will simplify the fee collection process for DHHR.

2. Removal of psychological and psychiatric evaluations as an activity component in Out of Home Respite Care Services because no Title XX monies were allocated for these activities. However, these services are provided with state funds. The effective date of the final amendments will be March 1, 1980.

Copies of the Title XX State Plan and the final amendments are available without charge upon written or telephone request to:

Telephone: 1-800-272-9868 (8:00 a.m. - Noon), (1:00 - 5:00 p.m.).

Write: Public Assistance Line, Division of Administration, Box 44095, Baton Rouge, Louisiana 70804.

Melvin Meyers, Jr., Assistant Secretary
Office of Human Development

RULE

Department of Health & Human Resources Board of Veterinary Medicine

The Louisiana State Board of Veterinary Medicine at a public hearing held on Wednesday, June 7, 1979, after appropriate public participation and acting under the authority of provisions of Section 1518 (9) of Title 37, Chapter 18, LRS 1950, as amended,

promulgated the following rules relative to the practice of Veterinary Medicine in the State of Louisiana.

The Louisiana State Board of Veterinary Medicine is statutorily charged with promulgating Rules of Professional Conduct (LRS 37, Chapter 18, Section 1518 (9)) to maintain a high standard of integrity, skills and practice in the profession. Acting within this authority the following rules have been adopted:

**Consultant LRS 37,
Chapter 18, Section 1514 (4)**

1. The term "consulting" as used in Section 1514 (4) does not include any acts which constitute the practice of Veterinary Medicine as defined in Section 1513 (4).

**Prescribing and Dispensing Drugs
LRS 37, Chapter 18, Section 1513 (4) (a)**

2. A licensed veterinarian shall not prescribe or dispense, deliver or order delivered:

A. Any drug or medicinal agent carrying the legend "Federal (USA) law restricts this drug to use by or on the order of a licensed veterinarian" to be administered to animals with which he has not established a client-veterinarian relationship.

B. Any controlled substance, as defined by the U.S. Food and Drug Administration, without first having established a patient-veterinarian relationship by having personally examined the individual animal, herd, or a representative segment or a consignment lot thereof, and determined that such controlled substance is therapeutically indicated following said examination.

C. "Client-veterinarian relationship" as used in this rule shall be defined as a relationship created by actual consultation by the veterinarian with the animal's owner or duly authorized agent.

D. Any veterinarian who violates this rule shall be guilty of unprofessional conduct within the meaning of Section 1526 (14).

**Record Keeping Title 37,
Chapter 18, Section 1526 (14)**

3. It shall be considered unprofessional conduct within the meaning of Section 1526 (14) for a licensed veterinarian to keep improper records. Records should be established and maintained as follows:

A. Each Louisiana licensed veterinarian shall maintain an individual record on each animal to include, but not be limited to, the following:

(1) Name, breed, sex, description, permanent identification (if available), tattoos or other identifying marks, name of owner, complaint, diagnosis, therapy, surgical procedures and disposition of the case.

(2) Records shall be maintained for at least five years, including records of large animal and/or herd type practice.

(3) Radiographs shall be kept in the following manner:

(a) Marker must have name of hospital and/or clinician.

(b) Marker must have identification of the animal, i.e.: number and/or owner's name.

(c) Marker must have date radiograph was made.

(d) Radiograph must be properly identified with "L" for left and "R" for right.

(e) Radiograph must be kept for at least three years.

Nothing herein contained is intended to repeal, modify or otherwise affect existing rules and regulations of this Board.

These rules shall become effective March 1, 1980.

George M. Arnold, D.V.M., Chairman
Board of Veterinary Medicine

RULES

Department of Public Safety Office of Fire Protection

LAC 17-4:1 Request for Rule Change

1.1 Anyone petitioning the Assistant Secretary of the Department of Public Safety, Office of State Fire Protection, commonly known as the Louisiana State Fire Marshal, for the adoption of, or change of, any rule shall submit in writing to the Fire Marshal at 9131 Interline Avenue, Building C, Baton Rouge, Louisiana 70809 an application containing the following basic information organized and captioned:

A. The name, address, and telephone number of the applicant.

B. A brief description of the facts supporting the applicant's request for the adoption of a rule or the change of a rule that has already been adopted.

C. Suggested specific language or language setting forth the substance of the rule or rule change which is being requested.

D. An indication as to whether or not a public hearing is requested.

E. A copy of each and every document upon which the applicant bases his request for a rule or a citation of the information and where it can be easily obtained for review by this office.

1.2 Whenever the Fire Marshal determines that a public hearing or public hearings should be held prior to the adoption of any rule or rule change, a notice of the meeting date and place and the agenda will be recorded in the *Louisiana Register*; however, whenever that is not possible, a copy of the meeting notice including the date, time and place, and agenda of the meeting will be mailed to the official journals of the cities of Shreveport, Monroe, Lafayette, Lake Charles, Alexandria, New Orleans, and Baton Rouge, and any city or town in which the public hearing is to be held if it is not in one of the aforementioned major cities; and the same information shall also be mailed to each individual who has notified the Fire Marshal of his desire to receive a notice of the adoption of or change of any rule.

1.3 Within ninety days of the request for adoption of or change of a rule, the Fire Marshal will notify the applicant and each individual who requests a copy of either his denial of the application or notice of intent to adopt the requested rule.

LAC 17-4:2 General Provisions

2.1 It shall be the policy of the State Fire Marshal that in all instances or specifications provided in the statutes or in the codes referenced by the statutes, or by any specific references in administrative rulings by the State Fire Marshal, that the National Fire Codes published by the National Fire Protection Association and the National Building Code shall be used as the references and standards for determinations by the State Fire Marshal.

2.2 All inspections of buildings constructed or remodeled after January 1, 1980, will be made utilizing the requirements set forth in the 1976 edition of the Life Safety Code of the National Fire Protection Association and Section 518, Special Provision for High Rise, of Chapter 4 of the 1974 amendments to the 1973 Southern Standard Building Code.

2.3 With regard to buildings constructed or remodeled between January 1, 1975, and January 1, 1980, inspections of those buildings will be made on the basis of requiring that the buildings meet the minimum requirements set forth in the 1973 edition of the Life Safety Code of the National Fire Protection Association and Section 518, Special Provision for High Rise, of Chapter 4 of the 1974 amendments to the 1973 Southern Standard Building Code.

2.4 For buildings constructed or remodeled prior to January 1, 1975, inspections by the Office of State Fire Marshal shall be made

utilizing the requirements set forth in the 1967 edition of the Life Safety Code of the National Fire Protection Association.

LAC 17-4:3 Building Permits

3.1 In accordance with the requirements set forth in R.S. 40:1574 that plans and specifications for any and all buildings to be constructed in the state must first be submitted to the Office of State Fire Protection for review before construction, renovation, remodeling, or repair, no governmental subdivision in the State of Louisiana shall issue any building permit until the plans and specifications therefore have been approved by the Office of State Fire Protection.

3.2 Accordingly, with the application for a building permit from any governmental subdivision of this state, a copy of the approval of the plans and specifications for which the building permit is being requested shall be attached to the application. This ruling shall not apply to the following:

- A. One and two family dwellings.
- B. Existing buildings in which there are no structural modifications to be made and there is no change in the exit arrangement.

LAC 17-4:4 Plans and Specifications for a New Building

4.1 As of January 1, 1980, the plans and specifications for every building constructed or remodeled in the State of Louisiana must be drawn in accordance with the requirements of a 1976 edition of the Life Safety Code of the National Fire Protection Association and Section 518 — Special Provisions for High Rise, of Chapter 4 of the 1974 amendments to the 1973 Southern Standard Building Code.

4.2 NFPA 101-1973 Sec. 9-731 requiring partitions for sleeping quarters shall not apply to any day care centers which operate only during daylight hours. NFPA 101-1973 Appendix A-9-71 is simply an explanatory note and will not be enforced by the Fire Marshal. Ratios of children to supervisors are set by the Division of Family Services and enforced by them.

4.3 No fire hoses will be permitted in stairwells.

LAC 17-4:5 Insulation

5.1 The State Fire Marshal will only accept and permit the use of insulation which conforms to the following standards:

A. Fiberglass insulation must be rated as having a flame spread of less than twenty-five and a smoke generation of no more than four hundred fifty.

B. Cellulose insulation must meet the requirements of federal specifications HH-I-515C. Each such piece of insulation must be labeled, certifying that it meets this standard. Cellulose insulation must be approved by a nationally recognized testing laboratory with follow-up service such as Underwriters Laboratories, Factory Mutual, etc. and must contain certification by affidavit of the manufacturer, duly notarized, that the product meets the federal specification HH-I-515C. For manufacturers who are not yet members of a nationally recognized testing laboratory with follow-up service, during the interim period of approval for any particular product, application for that approval or for that membership along with an affidavit certifying that the product meets HH-I-515C will be acceptable.

C. Only foam plastics which have a flame spread rating of twenty-five or less and a smoke density no greater than four hundred fifty when tested in accordance with American Society of Testing Materials (ASTM) E-84 may be used in any structure, watercraft, or movable constructed, repaired or remodeled in Louisiana, unless preempted by applicable federal regulations, and only if they meet the following specific requirements.

5.2 Foamed plastics used in or as a component of walls, parti-

tions, ceiling, roofs, floors, crawl spaces or similar areas shall be:

A. Encapsulated by a minimum of one inch thickness of masonry or concrete when installed in such a wall, floor or floor system, or

B. Protected from the interior of the building by a thermal barrier of an approved material which will limit the temperature rise of the unexposed surface to not more than two hundred fifty degrees Fahrenheit after fifteen minutes of fire exposure complying with ASTM E-119 standard time-temperature curve when installed within the stud space or cavity or on the surface of conforming walls or ceilings or other surfaces. One-half inch gypsum wallboard or other material meeting these requirements is acceptable. Exterior encapsulation shall be provided as required by the application guidelines for the foam plastic material, except a fifteen minute thermal barrier or other ignition barrier approved under the specific equivalency provision, shall be employed at the exterior when the clear distance between adjacent, adjoining or abutting buildings or structures is less than five feet measured at right angles to each other. Thermal barriers shall be installed in a manner that they will remain in place for a minimum of fifteen minutes under the same test conditions.

C. As an element of walls classified as fire resistive construction provided fire tests are conducted in accordance with ASTM E-119 and the protection from the interior of the building is at least the equivalent to an acceptable thermal barrier.

5.3 Foamed plastics used in or as a component of attics or similar areas shall:

A. Be protected against ignition by one and one-half inch thick mineral fiber insulation, one-fourth inch plywood, hardboard, gypsum wall board, No. 20 gauge steel sheet metal or other effective material.

B. Be installed in such a manner that foam plastics shall not be exposed in attic or crawl space except in areas where entry is made only for service of utilities.

C. Have three inches of clearance maintained around and about all recessed ceiling light fixture enclosures, wiring compartments or ballasts (the fixture shall not be covered with insulation).

5.4 Foamed plastics used as insulation in or on nonbearing exterior walls or within nonbearing curtain wall panels shall:

A. Not exceed six thousand BTU/Sq. Ft. of protected area or four inches in thickness.

B. Have panel assembly structurally fastened to the building frame to prevent or prohibit failure in bond, as a result of temperatures which may be experienced in a building fire, from wind loads or other conditions.

C. Be protected from the interior of the building by an effective fifteen minute minimum thermal barrier, or be covered by a thickness not less than .032 inch aluminum or 22 gauge galvanized sheet metal in buildings protected throughout by an approved system of automatic sprinklers.

5.5 Foamed plastics used as a component of a roof covering shall be:

A. Part of a roof assembly that is listed by U.L. or Factory Mutual and covered with a Class A, B, or C roof covering.

B. Protected from the interior of the building by an effective fifteen minute thermal barrier.

C. Not limited for smoke density.

5.6 Structural foamed plastics used as interior trim, such as picture molds, chair rails, baseboard, handrails, door and window trim shall meet the requirements of N.F.P.A. 101 Life Safety Code 1973 edition for interior finish.

5.7 Foamed plastics used in doors shall be:

A. Firetested in accordance with ASTM E-152 and listed by U.L. or Factory Mutual.

B. Installed in doors with a facing of metal having a minimum thickness of .032 inch aluminum or 22 gauge sheet metal.

5.8 Foamed plastics used as siding backer board shall be: