

April 2024

Economic Impact Statements for Proposed Rules

The corresponding proposed rule to each of the statements below may be viewed in its entirety in the April 20, 2024 *Louisiana Register*. Each *Louisiana Register* edition is published on the 20th of each month.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Department of Children and Family Services	State Central Registry	Implementation of this proposed rule will have no cost or economic benefit to directly affected persons, non-governmental groups.
Department of Children and Family Services	Licensee Portal—Child Residential Care Class B, Residential Homes (Type IV), Child Placing Agencies General Provisions, and Juvenile Detention	This proposed rule will have no impact on the estimated costs of any persons or non-governmental groups.
Board of Elementary and Secondary Education	Attendance	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	Bulletin 111—The Louisiana School, District, and State Accountability System—ELPT Connect	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	Bulletin 130—Regulations for the Evaluation and Assessment of School Personnel—Educator Observation and Evaluation	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	Bulletin 136—Louisiana Early Learning and Development Standards for Children Birth to Five Years Early Learning and Development Standards	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	Bulletin 137—Louisiana Early Learning Center Licensing Regulations—Early Learning Providers	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	Bulletin 139—Louisiana Child Care and Development Fund Programs Child Care Programs	The proposed rule change may result in economic benefits to directly affected persons, small businesses, or nongovernmental groups. The changes support the critical stabilization of the child care industry (which results in a more stable workforce across Louisiana industry and the economy) by paying the fixed costs of providing quality child care services. The changes will additionally assist providers in offering early learning care more consistently and comprehensively for more families and children, statewide, to ensure that some children in every parish receive care.
Board of Elementary and Secondary Education	Bulletin 741—Louisiana Handbook for School Administrators Civics and FAFSA	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	Bulletin 746—Louisiana Standards for State Certification of School Personnel Principal Certification Pathways	The proposed rule change will provide an optional expedited pathway to help schools fill leadership roles.

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Board of Elementary and Secondary Education	Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act—Improving Processes Related to Children with Exceptionalities	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators—Written Policies and Programs	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Board of Elementary and Secondary Education	Immunization Exemption Communication	There are no anticipated costs or benefits to directly affected persons, small business, or nongovernmental groups as a result of the proposed rule change.
Department of Environmental Quality	Emission Standard for Asbestos	There are no costs or economic benefits to directly affected persons, small businesses, or nongovernmental groups.
Board of Trustees of the Firefighters’ Pension and Relief Fund for the City of New Orleans	Open Meetings via Electronic Means	Electronic meetings could potentially reduce expenses to directly affected persons, small businesses, or non-governmental groups by negating the need for travel to a board meeting.
Board of Pharmacy	Controlled Dangerous Substances (CDS) Licensing	The proposed rule changes will benefit certain CDS license holders undergoing a change in ownership by eliminating the need for a new CDS license in some circumstances. Eliminating the need to apply for a license due to a change of ownership will save the business between \$20 and \$100 in application fees.
Board of Pharmacy	Open Meetings via Electronic Means	The proposed rule changes will help make meeting participation more accessible for members of the public or the board who have ADA-recognized disabilities. The proposed rule may result in travel savings to certain members of the public with disabilities as they can now participate in the meeting virtually.
Board of Pharmacy	PMP Advisory Council Open Meetings via Electronic Means	The proposed rule changes will benefit PMP Advisory Council members by allowing the council to conduct open public meetings via electronic means. The proposed rule changes will help make meeting participation more accessible for members of the public or the board who have ADA-recognized disabilities. The proposed rule may result in travel savings to certain members of the public with disabilities as they can now participate in the meeting virtually.
Department of Health	Children’s and Adult Mental Health Services	This proposed rule amends the provisions governing children’s and adult mental health services to expand the mental health professionals eligible to provide therapeutic services to include provisionally licensed professional counselors (PLPC), provisionally licensed marriage and family therapists (PLMFT), and licensed master social workers (LMSW). The proposed rule will allow Medicaid beneficiaries to receive mental health therapeutic services from PLPCs, PLMFTs, and LMSWs and will permit these mental health professionals to be reimbursed for services they were previously not eligible to provide. It is anticipated that implementation of this proposed rule will not result in costs to providers and small businesses in FY 23-24, FY 24-25, and FY 25-26.

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Department of Health	Inpatient Hospital Services	This proposed rule repeals inpatient hospital services rules which were promulgated prior to implementation of the Louisiana Administrative Code (LAC) codification system and amends the provisions governing inpatient hospital services in order to promulgate the criteria to qualify for reimbursement as a distinct part psychiatric unit in a codified format in the LAC and add qualifying criteria for rehabilitation, long-term, and freestanding hospitals. It is anticipated that implementation of this proposed rule will not result in costs to providers of inpatient hospital services or small businesses in FY 23-24, FY 24-25, and FY 25-26, but will be beneficial ensuring that the provisions governing reimbursement for inpatient psychiatric services are accurately promulgated in the administrative rule.
Department of Health	Pharmacy Benefit Management Program—Excluded Drugs	This proposed rule amends the provisions governing the Pharmacy Benefit Management Program in order to align the language in the <i>Louisiana Administrative Code</i> relative to drugs excluded from coverage under the Medical Assistance Program with the Medicaid State Plan amendment approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS). This action is a result of a recommendation by CMS to remove references to specific drugs from the Medicaid State Plan and include this information in the provider manual. Implementation of this proposed rule will not result in costs to pharmacy providers, small businesses, or the Medicaid Program in FY 23-24, FY 24-25, and FY 25-26, since the proposed rule does not change the drugs that are currently covered in the Medicaid Program.
Department of Health	Provider Screening and Enrollment	The proposed rule amends the provisions governing provider screening and enrollment in order to comply with U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) requirements to align the provisions governing out-of-state enrollment and single case agreements with the Medicaid Provider Enrollment Compendium, to codify provisions for informal hearings and appeal rights for provider enrollment denials and terminations, and to ensure that the administrative rule is consistent with current practices. It is anticipated that implementation of this proposed rule will not result in costs to Medicaid providers or small businesses in FY 23-24, FY 24-25, and FY 25-26, but will be beneficial by codifying an informal hearings and appeal process and ensuring that the Louisiana Administrative Code aligns with CMS requirements.
Department of Health	Facility Need Review	This proposed Rule amends and also adopts provisions governing FNR in order to ensure that the FNR process for nursing facilities coincides with the current statute requiring FNR approval by the Department of Health (the department). It is anticipated that implementation of this proposed Rule will not result in costs to nursing facilities in FY 23-24, FY 24-25, and FY 25-26.
Department of Insurance	Regulation 129—Surplus Lines Insurance Refund or Credit of Gross Premium Taxes	The proposed rule changes will benefit persons and entities seeking to identify which handbooks or guidelines are currently being incorporated by reference that serve as professional guidance for entities under the purview of LDI. These handbooks and guidelines will be available for public viewing in hardcopy form at the offices of the LDI and Office of State Register and online at the NAIC website.
Department of Public Safety and Corrections	Inmate Incentive Pay and Other Wage Compensation	There is no estimated cost and/or economic benefit to directly affected persons, small businesses, or non-governmental groups.
Department of Revenue	Regulation IX—Prohibition of Certain Unfair Business Practices	The proposed amendment may affect costs that are voluntarily incurred by alcoholic beverage industry members who choose to provide the items to retailers. The retailers may have an economic benefit due to the increased monetary cap allowance on items that may be received from industry members.
Department of State	Determination of Cure Sufficiency	The proposed rule change has no increased costs and/or economic benefits to the public. The absentee mail ballot curing process is an exclusively governmental procedure.

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Deferred Compensation Commission	Deferred Compensation Plan	The rule lowers the age from 70 ½ to 59 ½ to begin receiving payments from a Deferred Compensation Plan or allows for participants in a Deferred Compensation Plan to make a qualified birth or adoption distribution not to exceed \$5,000 per birth or adoption. Affected persons may economically benefit from either receiving distributions at 59 ½ rather than 70 ½ or receive distributions for qualified births or adoptions.