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Executive Orders

EXECUTIVE ORDER EWE-79-6

WHEREAS, in the absence of further action by me, the Prison Study Commission will automatically expire on August 1, 1979; and

WHEREAS, Louisiana's state and parish correctional systems have been compelled to provide substantial additional adequate correctional services at considerable cost to the public; and

WHEREAS, such systems have in several instances been subjected to Federal District Court decrees requiring the delivery of additional correctional facilities and services; and

WHEREAS, such systems must also continue to be responsive to anticipated future and expanding requirements and needs which are essential if the state and parishes are to maintain adequate correctional services; and

WHEREAS, the 1979 Legislature has authorized the sale of bonds totalling 30.4 million dollars for the construction and renovation of local prisons and related facilities; and

WHEREAS, the existing Prison Study Commission has received funding from the National Institute of Corrections and the Law Enforcement Assistance Administration which can be used to insure the effective utilization of the bond proceeds; and

WHEREAS, the Prison System Study Commission has, since its inception in August, 1976, inter alia, (1) developed a substantial base of information concerning state and parish correctional systems, (2) offered useful and timely recommendations to the state for the planning and funding of correctional services, and (3) developed effective working relationships with the many components of the criminal justice system; and

WHEREAS, the best interests of the state will be served by the maintenance and development of a long-range program and adequate planning for the establishment of correctional institutions, facilities, and services in the future.

NOW, THEREFORE, I, EDWIN EDWARDS, Governor of the State of Louisiana, by virtue of the power vested in me by the Constitution and the laws of this state, do hereby continue and reestablish the Prison Study Commission as hereinafter prescribed.

The Commission shall be composed of fifteen members, five of whom shall be appointed by the Governor, five by the Speaker of the House of Representatives of the Legislature of Louisiana, and five by the President of the Senate of the Legislature of Louisiana.

The Commission shall apply for federal and state grants that are available to fund the performance of the responsibilities in this resolution which are to be performed by the Commission.

The Commission shall provide assistance to the Department of Corrections in the planning of standards and guidelines for delivery of correctional services at the parish level in conformity with the provisions of Act 231 of the 1979 Legislature.

The Commission shall be available to provide information and give testimony regarding the delivery of correctional services at the state and parish level in those substantive areas of the Commission's responsibility.

The Commission shall continue to work in conjunction with the Department of Corrections and other corrections agencies to plan for the future growth of a Louisiana correctional system which will meet the requirements of the federal and state constitutions and statutes.

The Commission shall consider the problems of the delivery of correctional services for juvenile offenders as these problems relate

to the entire Louisiana state and parish correctional systems, and shall initiate the development of basic information required to generate recommendations regarding the delivery of these services.

The Commission shall review all plans for construction, acquisition, or remodeling of state-funded prisons and jails and shall otherwise assist the Department of Corrections in reviewing requests for funding made by local authorities.

The Commission may draw upon the resources and staff of the Legislative Fiscal Office, the Legislative Council, and all state agencies whose functions relate to the criminal justice system to assist it in the development of information and preparation of analyses of such information in developing a comprehensive program to plan and fund adequate correctional services for the future and in providing recommendations and assistance to the state for the implementation of the comprehensive program.

This Commission shall cause to be prepared a written report of its findings and recommendations which shall be submitted to the Governor and Legislature by March 1st of each year that the Commission is in existence.

BE IT FURTHER RESOLVED that this Commission shall terminate on August 1, 1981, unless recreated by the Legislature prior to that date.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to have affixed the Great Seal of the State of Louisiana at the Capitol in the City of Baton Rouge, on this 27th day of July, A.D. 1979.

Edwin Edwards
Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education at its meeting on July 30, 1979, exercised those powers conferred by the emergency provisions of the Administrative Procedures Act, R.S. 49:953B, to adopt a revision to the implementation dates for high school graduation requirements. This action was taken to eliminate undue hardship and to protect the welfare of the children of Louisiana who will be entering the ninth grade in the fall semester of the 1979-80 school year.

Rule 3.01.51n

(Revision to present policy)

The Board adopted revised implementation dates for high school graduation requirements to be effective with students entering the ninth grade in the 1979-80 school year and directed that the implementation dates be the same for the nonpublic and public schools.

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

DECLARATION OF EMERGENCY

**Department of Health and Human Resources
Office of Family Security**

In accordance with the provisions of R.S. 40:29, the Department of Health and Human Resources, Office of Family Security, has increased, effective August 1, 1979, the Medically Needy Income Eligibility Standards as follows:

Rural—Medically Needy Income Eligibility Standard

Family Size	AFDC Flat Grant Amount	Monthly Monies	Quarterly Monies
1	\$ 53	\$ 125	\$ 375
2	98	133	399
3	139	192	576
4	173	233	699
5	206	275	825
6	236	317	951
7	267	358	1074
8	297	400	1200
9	325	433	1299
10	354	475	1425
11	384	517	1551
12	416	558	1674
13	450	600	1800
14	483	650	1950
15	516	692	2076
16	549	733	2199
17	582	783	2349
18	615	825	2475
19	651	875	2625
20	687	916	2748
21	723	967	2901
22	759	1017	3051
23	795	1067	3201
24	831	1117	3351
25	867	1167	3501
26	903	1217	3651
27	939	1267	3801
28	975	1317	3951
29	1011	1367	4101
30	1047	1417	4251

Urban—Medically Needy Income Eligibility Standard

Family Size	AFDC Flat Grant Amount	Monthly Monies	Quarterly Monies
1	\$ 57	\$ 133	\$ 399
2	110	150	450
3	152	208	624
4	187	250	750
5	221	300	900
6	252	342	1026
7	281	375	1125
8	311	417	1251
9	340	458	1374
10	368	492	1476
11	399	533	1599
12	431	575	1725
13	462	617	1851
14	495	667	2001
15	528	708	2124
16	564	758	2274
17	591	792	2376
18	629	842	2526

Urban—Continued

Family Size	AFDC Flat Grant Amount	Monthly Monies	Quarterly Monies
19	668	892	2676
20	707	950	2850
21	746	1000	3000
22	785	1050	3150
23	824	1100	3300
24	863	1150	3450
25	902	1200	3600
26	941	1250	3750
27	980	1300	3900
28	1019	1350	4050
29	1058	1400	4200
30	1097	1450	4350

In the near future appropriate revisions shall be made to Section 19-107.

These increases will allow the Medical Assistance Program to be in compliance with federal regulations 42 CFR 435.1007 which sets these standards at 133 $\frac{1}{3}$ % of the AFDC flat grant amount payments. These payments have been increased effective July 1, 1979. Noncompliance with the federal regulations would result in loss of federal financial participation in Louisiana's Medical Assistance Program.

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

DECLARATION OF EMERGENCY

**Department of Health and Human Resources
Office of Family Security**

The Louisiana Legislature has approved the Appropriations Act which included an average increase of 10% to Aid to Families with Dependent Children (AFDC) and General Assistance (GA) cases effective July, 1979. Because this increase was not approved until after the checks for July, 1979 were written, supplementary payments to cover the increase will be issued from State Office. New flat grant amounts effective July, 1979 are as follows:

I. Increased Flat Grant Amount to be Included in Every AFDC Assistance Payment Budget

A. Non-Urban Grant

Household Size	Flat Grant Amount
1	\$ 53
2	98
3	139
4	173
5	206
6	236
7	267
8	297
9	325
10	354
11	384
12	416
13	450
14	483
15	516
16	549
17	582
18	615

For each additional person add \$36 to the flat grant amount

B. Urban Grant (Orleans, Jefferson, St. Beranrd, E.B.R.)

Household Size	Flat Grant Amount
1	\$ 57
2	110
3	152
4	187
5	221
6	252
7	281
8	311
9	340
10	368
11	399
12	431
13	462
14	495
15	528
16	564
17	591
18	629

For each additional person add \$39 to the flat grant amount

II. Increased Payment in General Assistance.

A. Persons in Certification Allowable Per Person

13 years and older	\$50
Birth through 12 years	\$35

B. Value of Available Income In-Kind.

	Food	Clothing	Incidentals
13 years and older	\$37.00	\$8.00	\$5.00
Birth through 12 years	\$24.00	\$6.00	\$4.50

C. GA Maximum Grants.

1. Regular Grant. The maximum amount paid for a regular grant (to include one-person Indochinese cases) shall be:

- a. \$75 when only one person is included in the certification.
- b. \$109 when two or more persons are included in the certification.

2. Special Grant. The maximum amount paid for a special GA grant shall be:

- a. \$110 when the budget plan includes an allowance for a special grant and only one person is included in the certification. \$115 when a special diet is approved and there are two or more persons in the certification.
- b. \$126 when the budget plan includes an allowance for special care in a foster family placement or discharge from a state mental institution.
- c. \$120 when the budget includes one person and an allowance is necessary for special care in his own home or home of a relative or in a private home by an unrelated person. \$125 when the budget includes two or more persons and special care as explained above is necessary.

3. Other Grants. The grants of eligible patients in Carville as specified in E.B. 963, and GA 111 and Handicapped Children (Type 94 and 96 cases) are being increased as follows:

- a. Patients in Carville—grants will be increased from \$30 to \$35.
- b. Ga 111 and Handicapped Children—The amount paid shall be the family budgetary deficit subject to \$110 maximum without inclusion of the extra cost of the child's special diet and/or essential transportation (if any) plus the cost of this item or items subject to a maximum of \$278.
- c. GA recipient receiving skilled nursing care in a skilled nursing home or care in an intermediate care facility, the personal care needs amount shall be \$22. The maximum

payment amount is \$22, therefore, all GA recipients in long term care (LTC) facilities will receive a \$5 increase and newly certified GA, LTC recipients will receive a maximum grant of \$22.

4. Indochinese One-person Households. Indochinese one-person households shall receive payment in accordance with the payment level applicable to a one person GA certification.

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

DECLARATION OF EMERGENCY

**Department of Health and Human Resources
Office of Family Security**

In accordance with the provisions of R.S. 40:29, the Department of Health and Human Resources, Office of Family Security, has increased, effective with the August, 1979, payments for July, 1979, services, the rates of reimbursement to long term care facilities participating in the Medical Assistance Program. The rates for the specified levels of care are as follows:

	Daily	Monthly
Skilled Nursing Facility (SNF)	\$26.73	\$813.04
Intermediate Care Facility I (ICF I)	\$24.43	\$743.08
Intermediate Care Facility II (ICF II)	\$19.37	\$589.17

This increase will allow the Medical Assistance Program to be in compliance with federal regulations 42 CFR 447.273 and the cost related portion of the Title XIX State Plan. This regulation specifies that the Medicaid agency must pay for long term care facility services on a reasonable cost-related basis. Noncompliance with these federal regulations and the methodology for determining the rates as spelled out in the Title XIX State Plan would result in the loss of federal financial participation in Louisiana's Medical Assistance Program.

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

DECLARATION OF EMERGENCY

**Department of Health and Human Resources
Office of Family Security**

In accordance with the provisions of R.S. 40:29, the Department of Health and Human Resources, Office of Family Security, has increased, effective with August, 1979 payments, for July, 1979 services in Skilled Nursing Facilities, Intermediate Care Facilities I, and Intermediate Care Facilities II, the reimbursement rate not to exceed the seventy-fifth percentile of arrayed costs reflected in costs reports submitted by these type facilities.

This increase in the percentile of arrayed costs reflects cost of living increases in nursing homes. Immediate increase in the percentile of arrayed costs is necessary to assure continuity of care for some twenty thousand medicaid recipients in nursing homes participating in the Medical Assistance Program. Additionally, this adjustment assures compliance with the 1979 Appropriations Bill, Act 10.

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

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

In accordance with the provisions of R.S. 40:29, the Department of Health and Human Resources, Office of Family Security has increased, effective July 15, 1979, the dispensing fee allowance for prescriptions under the pharmaceutical services program. The maximum fee is set at \$3.28.

This increase will allow the Medical Assistance Program to be in compliance with the 1979-80 appropriations bill. The Louisiana Legislature, through the General Appropriation Act 10 of 1979, has appropriated the necessary funds to provide and mandate this increase at the beginning of the fiscal year. This fee increase was felt to be justified by the rise in the Consumer Price Index for 1979.

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

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

In accordance with the provision of R.S. 40:29, the Department of Health and Human Resources, Office of Family Security, has implemented policy, effective August 23, 1979, that will require chiropractors and dentists to submit their claims for reimbursement from the Medical Assistance Program within six months from the date of service.

The time limitation being placed on chiropractors and dentists is similar to the one imposed on physicians effective January 1, 1979. Furthermore, this action will allow the Medical Assistance Program to be in total compliance with federal regulation 42 CFR 447.45. This regulation was published as a final rule in the *Federal Register*, Volume 44, Number 103, Friday, May 23, 1979, pages 30341-30345. Noncompliance with these regulations would result in the loss of federal financial participation in the Medical Assistance Program.

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

Rules

RULES

Department of Agriculture Office of Agricultural and Environmental Sciences

Sugarcane Rust and Sugarcane Smut Regulation

I. Pests: Sugarcane Rust, *Puccinia melanocephala* Syd. and Sugarcane Smut, *Ustilago scitaminea* Syd.

II. Agent or Inspector: An authorized representative of the Commissioner of the Louisiana Department of Agriculture.

III. Inspection, Control and Eradication Authority:

a. Agents of the Louisiana Department of Agriculture shall be allowed entrance onto any property or premise to determine if the pests exist on such and to take such action as, in the judg-

ment of the State Entomologist, is necessary to control or eradicate the pests wherever found.

b. No person, firm or corporation shall in any way interfere with an agent of the Louisiana Department of Agriculture in carrying out the provisions of this regulation, or interfere with the application of suppressive measures for the control and eradication of the Sugarcane Rust and/or Sugarcane Smut should they be introduced into the State of Louisiana.

IV. Quarantined Area: Regulated area--Any area outside the State of Louisiana.

V. Regulated Products: Sugarcane plants, stalks, cuttings, seed, and any other part thereof and the same products of the genus *Eriantus* and, also, all equipment used in the production, harvest, and processing of sugarcane outside the boundaries of Louisiana.

VI. Conditions Governing Shipment of Regulated Products: Regulated products from the regulated area are prohibited entry into the State of Louisiana unless each shipment is accompanied by a special permit issued by the Louisiana State Entomologist. A special permit will be issued only after regulated products are treated in a manner approved by the State Entomologist.

VII. Control and Eradication Measures: Regulated products shipped into the State of Louisiana in violation of this regulation are subject to destruction or return to the point of origin at the discretion of the State Entomologist.

VIII. Penalties: Any person, firm, or corporation found guilty of violating the provisions of this Quarantine and Regulations is subject to the penalties provided by Section 1736 of Part III of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950.

IX. Revision: This regulation may be revised or amended at any time as conditions and circumstances warrant.

Richard Carlton
State Entomologist

RULES

Department of Commerce Racing Commission

§20.10(E) No jockey, or spouse thereof, shall own a race horse participating in the state in racing; nor shall either have any interest in one.

* * * *

§21.6 No jockey agent, or spouse thereof, shall be the owner of any race horse, nor shall either have any interest in one.

Albert M. Stall, Chairman
Racing Commission

RULES

Governor's Special Commission on Education Services

State Guaranteed Student Loan Program

Rule 1. Who May Apply for Loans. Persons who are bona fide residents of Louisiana and United States citizens and who enroll or plan to enroll as full-time undergraduate or graduate students in a college or university in Louisiana or in the United States are eligible to apply for state guaranteed loans. Also eligible to apply are medical students attending schools outside the United States who have been refused admission to the medical schools or colleges in the state of Louisiana because of lack of accommodations.

Students who have not been graduated from high school, but who have been admitted to Louisiana colleges and universities on the basis of the early admissions policy are eligible to apply for state guaranteed loans.

Also eligible are full-time students in vocational, business, or technical schools in Louisiana; and in vocational schools outside of Louisiana, when the course of study is not available within the state.

Approval of loans will be based upon the student's academic record and a recommendation by the school student financial aid officer of the need for financial assistance to meet educational expenses. The lender will determine the actual amount of loan.

All students who are eligible for student loans automatically qualify for federal interest benefits, regardless of family income.

Students may continue to borrow each year while enrolled as full-time students. A complete application is required each time a loan is made including transcript of grades, and federal Form OE1260.

Rule 2. Academic Requirements.

a. Students are expected to be in good standing academically to be eligible for a student loan. High school graduates are required to have at least "C" average grades (2.0 on a 4.0 system) for four years in the academic subjects of English, mathematics, social studies, and the sciences, or an American College Test (ACT) composite score of at least 18.

b. When any school grades are recorded numerically, they are first transposed to alphabetical grades according to applicable schedules. The following table will be used for determination of the "C" average for high school grades.

70-79—"D"	89-94—"B"
80-88—"C"	95-100—"A"

c. Students may also qualify with an average score of at least 45 in the five categories of the general education development (GED) test.

d. Academically ineligible high school graduates may attain eligibility status by earning at least "C" average grades in the first semester of post-secondary education equivalent to a college semester. Students attending proprietary business schools are not required to have a "C" average.

e. Post-secondary students are required to have a "C" average for all school grades, or a "C" average grade for the immediate past two full semesters, in order to be eligible for an initial or subsequent student loan. Academic borderline cases may qualify for one semester.

f. Eligibility of graduate and professional school students is based on grades obtained in graduate work, after the initial semester or year. For professional schools (i.e. schools of law, medicine, etc.) sometimes the student receives only a "satisfactory" grade.

g. If student is on academic probation for a temporary period, but also has at least "C" average grades overall, he may be eligible for a loan. Other probation or suspension status generally results in ineligibility.

Rule 3. How and Where to Apply. A student who wishes to apply for a state guaranteed loan will:

a. Contact the student aid office of the school where the student plans to enroll and secure an application, federal Form OE1260, and information about the program.

b. Complete the personal information required, and attach a transcript of scholastic record.

c. Sign affidavit in Part A of federal Form OE1260 in presence of notary. Notary must sign and affix notary seal.

d. Then have parents, guardian, or spouse complete the family information on the application and affix signatures where applicable.

e. Return the application to the student aid office of the school.

f. The student aid officer will review the application and the scholastic record, as well as determine the student's financial need for a loan, and record the recommendation on federal Form OE1260.

g. If the student aid officer favorably recommends a loan on federal Form OE1260, the form and the application will be signed, and school copy of the application retained. Student will then take application, transcript, and federal form to the bank, credit union, or savings and loan association of his choice.

h. Normally, loans are based on estimated needs for a full school year beginning with the fall semester. Loans are also made for one semester only. The lender will prepare a note for each semester, and student will sign notes. Lender will determine actual amount of loan. (See alternate schedule for vocational, etc.—Rule 11.)

i. The lender will complete lender section of application and federal Form OE1260; then forward all papers to the Loan/Grant Division of the Governor's Special Commission on Education Services.

j. The Commission will return the approved lender copy of application, the federal form, and the endorsed note(s) to the lender, and notify the school and the student of the approval of the loan.

k. The lender will forward the check for the student to the student aid officer, who will distribute checks to students who are registered at the school.

l. The deadline for fall semester loans is November 1; for spring semester loans, March 1. Other deadlines are applicable to vocational, and colleges on the quarter system.

* * * *

Rule 5. Repayment. When the student leaves school, arrangements are made by the student with the lender to pay out the loan in monthly installments with interest. Normally, loans are repaid within a maximum of six years or less, beginning not sooner than nine months after leaving school, with minimum monthly installments of thirty dollars each. A repayment period of at least five years is required when monthly installments are more than thirty dollars. The interest paid by the Commission to the lender on a student's behalf is not required to be repaid. Repayment of the loan may be accelerated without penalty, and student borrower may thereby save interest costs. Special repayment schedules are authorized upon agreement between the borrower and lender. (See Rule 18, the Payout Note.)

* * * *

Rule 8. Guarantee; Interest; Special Allowance. The Louisiana guarantee to lenders is one hundred percent of unpaid principal and interest. The federal statute prescribes seven percent simple interest on current loans, plus a special allowance not to exceed five percent in any twelve-month period, which is paid by the federal government in addition to the seven percent interest on loans disbursed after November 8, 1965. The special allowance percentage is adjusted quarterly and, when added to the seven percent interest rate, can average twelve percent for the last four consecutive quarters. Since August 1, 1969, the special allowance has varied from 6.25 percent to .75 percent.

The interest and special allowance are presently paid to lenders by the Governor's Special Commission on Education Services (GSCES) each six months about January 15 and July 15 for periods ending December 31 and June 30. After payment to lenders, GSCES immediately requests a refund from the federal government for their portion of interest and special allowance.

* * * *

Rule 10. Full-time Student Defined.

a. Regular College Semester.

10.2 Exclusion from Application of this Section.

10.2.1 The following matters are excluded from the application of this Section: Emissions of lead pursuant to and in compliance with the terms of a variance granted by the Commission.

10.2.2 Any person claiming exclusion from the application of this Section under this provision shall apply to the Commission through the Technical Secretary for exclusion in accordance with Section 2211 of the Act. The applicant shall furnish such information as the Commission may reasonably require to enable it to make a determination. The Commission may make such determinations and such conditions as may be appropriate to the activity in question. A person granted an exclusion under this provision may be required to furnish the Commission with plans satisfactory to the Commission for implementing any reasonable control measures which may be developed or which may otherwise become available.

10.3 Measurement of Concentrations.

10.3.1 Lead concentrations shall be measured by the methods listed in Table 2 or by such other equivalent methods approved by the Department. The publications or their replacements listed in Table 2 are incorporated as part of these regulations by reference.

10.3.2 The sampling and analytical procedures employed and their numbers, duration and location of samples to be taken to measure ambient levels of air contaminants shall be consistent with obtaining accurate results which are statistically significant and representative of the conditions being evaluated.

* * * *

19A.0 Emission Standards for Leadened Particulate Matter. All regulations outlined in Section 19.0 regarding particulate matter also apply to particulate emissions that have any lead component.

* * * *

In Table 1, Primary Ambient Air Quality Standards, and Table 1a, Secondary Ambient Air Quality Standards, insert the following entry directly under the entry for nitrogen dioxide:

Air Contaminant	Standards-Maximum Permissible Concentration
Lead	1.5 ug/m ³ (maximum arithmetic mean averaged over a calendar quarter)

* * * *

In Table 2, Ambient Air-Methods of Contaminant Measurement, insert the following entry under the entry for nitrogen dioxide:

Air Contaminant	Sampling Interval	Analytical Method
Lead	24 Hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix G

* * * *

18.2 Control of Smoke. The emission of smoke from any combustion unit (other than a flare, as described in Section 18.3 below) or from any type of burning in a combustion unit (other than a flare), including the incineration of industrial, commercial, institutional and municipal wastes, shall be controlled so that the shade or appearance of the emission is not darker than twenty percent opacity as to obscure vision to a degree equivalent to the above except that emitted during the cleaning of a fire box or building of a new fire, soot blowing or lancing, charging of an incinerator, equipment changes, ash removal and rapping of precipitators may have an opacity in excess of twenty percent for one period of four minutes in any sixty consecutive minute period.

* * * *

19.5.1 Control of Particulate Matter and/or Suspended Particulate Matter. The emission of particulate matter and/or suspended particulate matter from any source other than new or

ers shall be controlled so that the shade or appearance of the emission is not denser than twenty percent opacity; except that emitted may have an opacity in excess of twenty percent for a period of four minutes in any sixty consecutive minutes.

For new or existing fluid catalytic cracking unit incinerator-waste heat boilers, emissions shall not exceed thirty percent opacity except that emitted may be denser than thirty percent opacity for one six-minute average per hour without violating this standard.

Emissions already less than that allowed by the process weight rate limitation (Table 3) will be considered by the Technical Secretary for exemption from the provisions of this subsection.

When the presence of uncombined water is the only reason for failure of an emission to meet the requirements of this subsection, this subsection will not apply.

William A. Cherry, M.D., Chairman
Air Control Commission

RULES

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security has changed the maximum level (cap rate) for long term care eligibility for an individual to \$624.60, and the double cap rate for a couple occupying the same room in a long term care facility to \$1,249.20. This increase will allow the Medical Assistance Program to be in compliance with federal regulation 42 CFR 435.230 and 435.1011 which sets the cap rate at three hundred percent of the Supplemental Security Income payment amount. Effective July 1, 1979, this amount increased to \$208.20.

* * * *

The Office of Family Security has also adopted maximum allowable costs (MACs) for the following drugs when dispensed on prescriptions.

Amoxicillin 250 mg. caps.	\$0.2108 per capsule
Amoxicillin 500 mg. caps.	0.3942 per capsule
Hydrochlorothiazide 25 mg. tabs.	0.250 per tablet
Hydrochlorothiazide 50 mg. tabs.	0.0306 per tablet

In no case may a recipient be required to provide payment for any differences in a prescription price that may occur with the implementation of MACs, nor may our office use a cost which exceeds the established maximums except as follows.

The Department of Health, Education, and Welfare's regulations provide that when a physician certifies that a specific brand is medically necessary for a particular patient, the MAC limitations for that medication will not apply. In this case their specific guidelines provide that:

1. The certification must be in the physician's handwriting.
2. The certification may be written directly on the prescription, or on a separate sheet which is attached to the prescription.
3. A standard phrase written on the prescription, such as "brand necessary" will be acceptable.
4. A printed box on the prescription blank that could be checked by the physician to indicate brand necessity is unacceptable.
5. A handwritten statement transferred to a rubber stamp and then stamped on the prescription blank is unacceptable.

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

RULES

Department of Health and Human Resources Office of Family Security

(Editor's Note: The Department of the State Register has chosen not to publish the increases in the Thrifty Food Plan amounts nor the maximum allowable income standards under the option provided in R.S. 49:954.1C. Interested persons may inspect these tables at the office of the Department of the State Register, or may obtain copies by contacting the Office of Family Security, Department of Health and Human Resources, Box 44065, Baton Rouge, Louisiana 70804.)

The Department of Health and Human Resources, Office of Family Security has adopted the increases to the maximum allowable income standards, the increase in the standard deduction to \$70, the increase in the shelter deduction above or in combination with the dependent care deduction not to exceed \$90, and the increases in the Thrifty Food Plan Amounts.

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

RULES

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has adopted the Voluntary Quit Provisions of the Food Stamp Program in accordance with federal regulations as specified in the *Federal Register*, Volume 44, Number 58, Friday, March 23, 1979, pages 17,982 - 17,985. The Voluntary Quit Provision is stated below:

Voluntary Quit. No applicant household whose primary wage earner voluntarily quit his/her most recent job without good cause shall be eligible to participate as specified below:

Application Processing.

1. When the household files an application, the eligibility worker shall determine if any currently unemployed (i.e., employed less than twenty hours per week or receiving less than weekly earnings equivalent to the federal minimum wage multiplied by twenty hours) household member who is required to register for full-time work has quit his/her most recent job (i.e., employment involving twenty hours or more per week or having received weekly earnings equivalent to the federal minimum wage multiplied by twenty hours) without good cause within the last sixty days. Changes in employment status that result from reducing hours of employment while working for the same employer, terminating a self-employment enterprise, or resigning from a job at the demand of the employer will not be considered as a voluntary quit.

2. If a determination of voluntary quit is established, the eligibility worker shall then determine if that member is the household's primary wage earner. The primary wage earner shall be the household member, age eighteen or over, who was acquiring the greatest amount of earned financial support for the household at the time of the quit. The primary wage earner is determined by comparing the projected earnings of the member who quit employment in the month the voluntary quit occurred as if he/she had not ceased employment against the actual or, if not available, the projected earnings of the remaining household members.

3. Upon determination that the primary wage earner voluntarily quit employment, the eligibility worker shall determine if the voluntary quit was with good cause. If the voluntary quit was not for good cause, the household's application for participation shall be denied for a period of two months beginning with the month of the quit. The household shall be advised of the reason for the denial and of its right to reapply and/or request a fair hearing.

4. If an application for participation is filed in the second month of disqualification, the eligibility worker shall use the same application for the denial of benefits in the remaining month of disqualification and certification for any subsequent month(s) if all other eligibility criteria are met.

Exemptions from Voluntary Quit. The following persons are exempt from voluntary quit provisions:

1. Primary wage earners in households certified for food stamps at the time of the quit.

2. Persons exempt from full-time work registration provisions.

Good Cause. Good cause for leaving employment shall include:

1. Discrimination by an employer based on age, sex, color, handicap, religious beliefs, national origin or political beliefs.

2. Work demands or conditions that render continued employment unreasonable, such as working without being paid on schedule.

3. Acceptance by the primary wage earner of other employment, or enrollment of at least half-time in any recognized school, training program, or institution of higher education that requires the primary wage earner to leave present employment.

4. Acceptance by any household member of employment or enrollment of at least half-time in any recognized school, training program or institution in another parish which requires the household to move and thereby requires the primary wage earner to leave employment.

5. Resignations by persons under the age of 60 which are recognized by the employer as retirement.

6. Employment which becomes unsuitable by not meeting the criteria after the acceptance of employment.

7. Acceptance of a bona fide offer of employment of more than twenty hours a week or in which the weekly earnings are equivalent to the federal minimum wage multiplied by twenty hours which, because of circumstances beyond the control of the primary wage earner, subsequently either does not materialize or results in employment of less than twenty hours a week or weekly earnings of less than the federal minimum multiplied by twenty hours.

8. Leaving a job in connection with patterns of employment in which workers frequently move from one employer to another such as migrant farm labor or construction work. There may be some circumstances where households will apply for food stamp benefits between jobs, particularly in cases where work may not yet be available at the new job site. Even though employment at the new site has not actually begun, the quitting of the previous employment shall be considered as with good cause if part of the pattern of that type of employment.

Verification. The eligibility worker shall request verification of the household's statement to the extent that the information given by the household is questionable. The primary responsibility for providing verification rests with the household. If it is difficult or impossible for the household to obtain documentary evidence in a timely manner, the eligibility worker shall offer assistance to the household to obtain the needed verification. Acceptable sources of verification include but are not limited to the previous employer, employee associations, union representatives and grievance committees or organizations. Whenever documentary evidence cannot be obtained, a collateral contact

shall be substituted. The eligibility worker is responsible for obtaining verification from acceptable collateral contacts provided by the household.

If the household and the eligibility worker are unable to obtain requested verification from these or other sources because the cause of the quit resulted from circumstances that for good reason cannot be verified, such as a resignation from employment due to discrimination practices or unreasonable demands by an employer or because the employer cannot be located, the household will not be denied access to the Food Stamp Program.

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



RULES

Department of Health and Human Resources Office of Management and Finance

Rules and Sliding Billing Scale for Certain Programs Operated by the Office of Mental Health and Substance Abuse, Office of Mental Retardation, and Office of Human Development

In accordance with the provisions of R.S. 40:29, the following rules and sliding billing scale have been adopted by the Department of Health and Human Resources (DHHR), Office of Management and Finance, for residential programs provided by state administered mental hospitals, schools for the retarded, and private facilities, agencies, or individuals under the auspices of the Office of Human Development (OHD), and to include charges for evaluation services when provided by the Office of Human Development.

I. Admissions. State Hospitals, Schools, and Private Programs Where OHD Funds Are Utilized Toward the Cost of Care—Admissions for treatment shall be made available to all appropriate residents of the State of Louisiana. Residency shall be established by a permanent legal address within the state and an expressed intention to live within the state in the future when this in not in opposition to applicable state and federal regulations. Persons seeking treatment in a facility or by a program shall furnish all information requested by that program and, if different, the DHHR agency responsible for placement decisions.

II. General Regulations.

A. Schedule for Charges—Billing for services rendered will be sent at least quarterly to the client or his responsible person in accordance with the applicable fee schedule, based on the total family income and the number of dependents as defined in Section IV. There shall be adequate documentation of the information used in establishing the fee, which shall become a permanent part of the client's record.

B. Failure to Provide Information—A person responsible for the payment of charges for services rendered who refuses to supply the information necessary for an accurate determination of the required rate of charges for services rendered shall be presumed to be able to pay the full cost of services rendered and shall be billed accordingly. Any person who is potentially eligible for medical assistance benefits from any federal or state program who refuses to apply for and follow through with application for said benefits shall be presumed to be able to pay the full cost of services rendered and shall be billed accordingly or, in the case of voluntary, nonemergent services, may be refused DHHR assistance, dependent upon individual program policies. Up-

dated information shall be supplied by the responsible party to DHHR of any change in income, employment, or family composition, which may result in an adjusted fee. A periodic check, no less than annually, will be made with the responsible party to make fee adjustments as necessary for continuing services to a client.

C. Insurance—An insurance company that the responsible party alleges has issued a policy or contract covering the charges for treatment and services rendered shall be billed the full cost of services rendered. Billings shall be made directly to the insurer by the treating facility after securing execution of the forms necessary, including an assignment of benefits to the treatment facility by the responsible person. The responsible party shall be billed in accordance with the applicable fee schedule up to the amount of charges not covered and paid by insurance. If the responsible person refuses to execute the forms necessary to assign the benefits under the policy alleged by him to cover the charges for treatment and services rendered and the forms necessary to file an insurance claim in accordance with that policy, that responsible party shall be presumed to be able to pay at the full cost of services rendered and shall be billed accordingly or, in the case of voluntary, non-emergent services, may be refused DHHR assistance, dependent upon individual program policies.

D. Medical Assistance—All persons eligible to receive medical assistance benefits from any federal or state program shall be eligible for free treatment provided the program as administered has agreed to cover the appropriate services for treatment. In the event that the program does not cover the appropriate services for treatment, the responsible party shall be charged and billed in accordance with these rules and regulations.

E. Third Party Cases and Release of Information—Upon receipt of a letter from an attorney or an insurance company requesting a patient's records, that attorney or company shall be sent, within thirty days from the receipt, a bill for charges applicable to that patient. At the same time as the mailing of that bill, a copy of that patient's file pertaining to charges for services and their collection, as well as a copy of the requesting letter, shall be forwarded to the Office of Central Collection of the Department of Health and Human Resources in Baton Rouge. Patient's records are not to be released until a properly executed consent by the patient, parent, or guardian is received and the fee for copies of records is paid in advance, except to any office of the Department of Health and Human Resources for the purpose of facilitating the meeting of its responsibilities.

F. Exceptions—The Secretary or his designee(s) will be authorized to approve exceptions to the fee schedule, for documented reasons such as other excessive emergency or medical costs, family hardships resulting in unusual and unexpected expenses, etc.

III. Other Applicable Income, Earned and Unearned, in State Schools and Hospitals and in Private Residential Placements Receiving Financial Support from the Office of Human Development.

A. DHHR payments shall be made to supplement the basic contribution as determined by the sliding fee schedule, plus amounts or benefits available to the client from other sources, such as social security, supplemental security income, veteran's benefits, special education, and vocational rehabilitation, as well as private insurance.

B. Upon admission to a residential facility, procedures will generally be initiated which may lead to the payment of benefits on behalf of the client directly to a DHHR program or the treating facility. Except for some portion which may be assigned to the client's account based on his identified needs, the remainder of the benefits available shall apply toward the cost of care at

the facility. Any amount remaining above the cost of care shall return to the client's personal account or family.

C. A portion of the income which a client may earn while residing in the treatment facility will be applied toward the cost of care if it exceeds a basic amount which may be allowed for the client's personal expenses or savings.

D. If the income for a family, from which the contribution by the responsible party is determined according to the fee schedule, includes benefits of the client's which are applied toward the cost of care and the client allowance, the amount of these benefits may be deducted from the income of the family. The client may still be considered a dependent when referring to the fee schedule since the responsible party will still be contributing toward the cost of care and still have some extra expenses in regard to the client.

E. If benefits from these other available sources are not able to be made directly to the DHHR program or residential facility, the recipient of the benefits may be held responsible for payment of the applicable benefits to the appropriate DHHR program.

IV. Definitions.

A. **Gross Income:** The monthly sum of income received from sources identified by the U.S. Census bureau in computing the median income and defined in the Code of Federal Regulations, Volume 45, Section 228.66.

B. **Adjusted Income:** As used herein means the gross family income during the most current calendar year, as defined above, with deductions from the total family gross income of \$1,000 for each person dependent on that income and on federal and state income taxes paid on that income.

C. **Dependent:** As used herein, means all persons dependent on the household income as accepted by the Internal Revenue Service (IRS) for federal income tax purposes. In the case of a minor not claimed as a dependent for income tax purposes, the parents are still responsible for a contribution based on the fee schedule but may increase the dependent deductions by the client(s) in question.

D. **Family:** For purposes of establishing fees under these procedures, the basic family unit is defined as consisting of one or more adults and children, if any, related by blood, marriage, or adoption, and residing in the same household. Where related adults, other than spouses, or unrelated adults reside together, each will be considered a separate family, unless they are included as part of the family unit for federal income tax reporting purposes. Children living with nonlegally responsible relatives, emancipated minors, and children living under the care of unrelated persons will be considered a member of the family, if any, that claims that child as a dependent for federal income tax purposes. In maternity homes, minors seen without the consent and knowledge of parents or legal guardians will be considered as separate family units and will be charged according to the minor's own income whether the source is allowance or earnings.

E. **Responsible Persons:** As used herein, the client's parents or guardians if the client is under the age of eighteen unless someone else claims the client as a dependent for federal income tax purposes, in which case it is that person. If the client is over eighteen, he is responsible for his contribution based on his gross family income and allowed deductions, unless he is claimed as a dependent for income tax purposes, in which case the claimant becomes responsible for the fee toward the cost of care based on the claimant's family income.

F. **DHHR Residential Facilities and Out-of-Home Placements:** State mental hospitals and schools for the retarded, in-patient treatment facilities, and out-of-home care programs operated or partially funded by the Office of Mental Health and

Substance Abuse, Office of Mental Retardation, or Office of Human Development, including foster care, group home care, and DHHR placement of delinquent children and children in need of supervision.

V. Fee Determination for DHHR Residential Facilities and Out-of-Home Care.

The monthly fee for these services, as defined above, shall be determined according to formulas based on the Louisiana median income and applicable state and federal regulations. Families with an adjusted income of less than fifty percent of the state median income adjusted for the number of dependents will be provided with service at no charge. If the service provided is funded through Title XX, any fee determination will conform to the applicable Title XX Comprehensive Annual Services Plan for the state. DHHR will develop sliding fee schedules based on these formulas and furnish them to all appropriate agencies and persons requesting them. These schedules will be revised as the official state median income changes. Adjustments of the median income for family size shall be computed according to the method utilized for Title XX eligibility determination described in the Code of Federal Regulations, Volume 45, Section 228.60 (d)(2).

A. Public and private psychiatric hospital placements funded by DHHR shall utilize the following formula for the first sixty days of placement, not to exceed the actual cost of care. This fee will not be collected from one family for more than sixty days in any consecutive twelve-month period. In computing the fee to be charged, DHHR will round the actual fees for these services to the nearest dollar.

Adjusted Family Income as a Percent of the State Median Income based on Family Size	Fee as a Percent of Adjusted Income
Under 50%	none
50-54.9%	10%
55-59.9%	12%
60-64.9%	14%
65-69.9%	16%
70-74.9%	18%
75-79.9%	20%
80-84.9%	22%
85-89.9%	24%
90-94.9%	26%
95-99.9%	28%
100-104.9%	30%
105-109.9%	32%
110-114.9%	34%
115-119.9%	36%
120-124.9%	38%
125-129.9%	40%
130-134.9%	42%
135-139.9%	44%
140-144.9%	46%
145-149.9%	48%
150% and over	50% of adjusted income, not to exceed cost of care

B. Out-of-home residential and treatment programs operated or partially funded by the Office of Mental Retardation and Office of Human Development, and public or private psychiatric hospital placements of more than sixty days duration in a twelve-month period which are operated or partially funded by the Office of Mental Health and Substance Abuse or the Office of Human Development, shall utilize the following formula for each family member in placement, not to exceed the cost of care and when collection of this fee is not in violation of other state or federal regulations. It is understood that this fee is assessed for care and treatment only, not an educational component that is

available to all children free of charge. If the service provided is funded through Title XX, any fee determination will conform to the applicable Title XX Comprehensive Annual Services Plan for the state.

Adjusted Family Income as a Percent of the State Median Income based on Family Size

Under 50%
50-54.9%
55-59.9%
60-64.9%
65-69.9%
70-74.9%
75-79.9%
80-84.9%
85-89.9%
90-94.9%
95-99.9%
100-104.9%
105-109.9%
110-114.9%
115-119.9%
120-124.9%
125-129.9%
130-134.9%
135-139.9%
140-144.9%
145-149.9%
150% and above

Fee as a Percent of Adjusted Income

none
3%
3.35%
3.70%
4.05%
4.40%
4.75%
5.10%
5.45%
5.80%
6.15%
6.50%
6.85%
7.20%
7.55%
7.90%
8.25%
8.60%
8.95%
9.30%
9.65%
10% of adjusted family income, not to exceed cost of care

Gross Family Income as a Percent of Median Income Adjusted for Family Size

50-54.9%
55-59.9%
60-64.9%
65-69.9%
70-74.9%
75-79.9%
80-84.9%
85-89.9%
90-94.9%
95-99.9%
100-104.9%
105-109.9%
110-114.9%
115-119.9%
120-124.9%
125-129.9%
130-134.9%
135-139.9%
140-144.9%
145-149.9%
150% and above

Fee as a Percent of Cost

4% of cost
8%
12%
16%
20%
25%
30%
35%
40%
45%
50%
55%
60%
65%
70%
75%
80%
85%
90%
95%
100%

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

RULES

**Department of Health and Human Resources
Board of Examiners of Psychologists**

Definition of Resident

A resident of the State of Louisiana for the purposes of this Act is a person who:

1. Is domiciled in Louisiana, or
2. Practices psychology in the State of Louisiana for a period of time exceeding thirty days in any calendar year.

Definition of Applicant for Licensure

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

1. Is at least twenty-one years of age; and,
2. Is of good moral character; and,
3. Is a citizen of the United States or has declared an intention to become a citizen. A statement by the person, under oath, to apply for citizenship upon becoming eligible to make such application shall be sufficient proof of compliance with this requirement; and,
4. Is a resident or has declared, under oath, the intention to become a resident of the State of Louisiana; and,
5. Holds a doctoral degree with a major in psychology from a university offering a full-time graduate course of study in psychology that is approved by the Board with such requirements as designated in the Board's rules and regulations; and,
6. Is not in violation of any of the provisions of R.S. 36:2351-2368 and the rules and regulations adopted thereunder.

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

C. An applicant who is denied candidacy status, and thus licensure, by the Board based on the evidence submitted as required under A above, may reapply to the Board after two years have elapsed, and having completed additional training meeting the

IV. OHD Evaluation Services.

All persons provided evaluation services under the auspices of the Office of Human Development (OHD) shall be assessed a fee for each chargeable service when the family income is above fifty percent of the state median income for that family size. Chargeable services provided through the (proposed) OHD Client Evaluation Program may include various types of evaluations and treatment services necessary to determine the need for a restrictive placement or to prevent the need for a more restrictive placement. These services will be offered only when not available through another publicly funded resource. If the service is funded through Title XX, any fee assessed shall conform to the appropriate Title XX Comprehensive Annual Services Plan for the state. The cost of these services upon which the fee will be assessed will be determined by OHD as part of the project approval process when private providers submit proposals and budgets for funding consideration, and will be based upon the cost of the service computed for collections under Title XIX when that cost is available. The responsible person will be notified of the base cost and agree to their required contribution prior to the provision of the service when possible. Persons whose gross family income is less than one-half of the current state median income adjusted for family size will be eligible for services without charge. Persons whose gross family income is more than one hundred fifty percent of the current state median income adjusted for family size will be charged the full cost of services provided. Adjustment of the median income for family size shall be computed according to the method utilized for Title XX eligibility determination described in the Code of Federal Regulations, Volume 45, Section 228.60 (d)(2). In computing the fee to be charged, DHHR will round the actual fees for these services to the nearest quarter dollar. Between these two levels, fees will be adjusted in accordance with the following formula:

requirements of the law and as defined in the rules and regulations adopted by the Board.

Definition of Candidate for Licensure

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

1. Has been judged by the Board to have met the requirements set forth under the definition of applicant and
2. Is therefore admitted to the written examination.

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

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

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

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

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

G. A candidate who successfully completes the written examination will be admitted to the oral examination before the Board.

H. A candidate who successfully completes the oral examination, in the judgment of the Board, shall be issued a license in psychology upon the completion of the two years of full-time supervised and documented postdoctoral experience which is required for licensure under R.S. 37:2351-2368 and as defined in the rules and regulations of the Board.

I. A candidate denied licensure under the preceding provisions, may reapply to the Board after more than two years have elapsed from the effective date of the notification by the Board of such denial.

Rules and Regulations for Supervision of Unlicensed Psychologists

This document details reasonable minimal standards for supervised practice and establishes the legal, administrative and professional responsibility of the licensed psychologist designated as supervisor.

The supervisory function serves a multiplicity of purposes. Supervision provides guidance in administrative issues in the practice setting, continues and expands education in skills, offers emotional support, and provides evaluation for purposes of the supervisee's growth, as well as administrative judgment relative to the supervisee's capacity for autonomous professional function. The supervisor assigns work, sets realistic standards for achievement, and offers evaluation of the supervisee's performance. The supervisor offers a perspective on the relationship between the supervisee's assignment, the rest of the setting and the facilities available outside of the setting, in order that the supervisee's professional procedures are intelligently placed within the context of all of the systems affecting and influencing the client. In addition to all of this, the supervisor must deal with those personal characteristics of the supervisee which either enhance or interfere with work efficiency. The private actions and behaviors of the supervisee which are not relevant to nor expressed in the work setting shall not be dealt with in the supervisory relationship. The supervisor shall limit supervi-

sion to those areas in which he/she has professional expertise, as well as develop the specialized skills necessary to render competent supervision.

Supervised Practice as Prerequisite for Licensure.

I. Duration and Setting of Supervised Practice.

A. Two years of full-time (or equivalent) supervised and documented postdoctoral experience shall be required for licensure.

1. Credit shall not be granted for practice in connection with course work practicum experience for which graduate credits are granted, nor for the predoctoral internships unless specifically assigned by the supervising psychologist.

2. To be credited toward the two year full-time requirement, each assignment in a setting or integrated program shall be of at least six months duration and at least half-time. Any half-time assignments shall extend the period of supervision proportionately beyond two calendar years. This requirement must be completed within five calendar years; for cause shown, the Board may grant extensions.

B. Supervised experience shall be credited for professional practice only if obtained in a public or private agency, institution, or organization which will provide an opportunity for contact with other disciplines, and an opportunity to utilize a variety of theories and work with a broad range of populations and techniques.

1. The contribution of at least one other discipline whose expertise is germane, into the evaluation and intervention decisions in professional problem areas is a necessary aspect of professional training and practice.

2. The unlicensed psychologist shall clearly indicate the supervisory relationship in the provision of all psychological services. Public announcement of fees and services, and contact with lay or professional public shall be offered only in the name of the supervising psychologist. Billing for psychological services shall be in the name of the supervising psychologist.

3. Experience in other settings may be considered only by prior arrangement with, and approval of, the Board.

II. Qualifications of Supervisors.

A. Responsibility for the overall supervision of the supervisee's professional growth resides in the licensed psychologist. Supervising psychologists shall have at least one year of experience beyond the granting of their license and shall have training in the specific area of practice in which they are offering supervision. Specific skill training may be assigned to other specialists, under the authority of the supervising psychologist. The nonpsychologist specialist shall have clearly established practice and teaching skills demonstrable to the satisfaction of both the supervising psychologist and the supervisee.

B. The supervisor shall limit the number of persons supervised so as to be certain to maintain a level of supervision and practice consistent with professional standards insuring the welfare of the supervisee and the client.

C. The supervisor shall not be a member of the supervisee's immediate family.

III. Amount of Supervisory Contact. There shall be one hour per week as a minimum for general professional supervision. Exceptions to the requirement must have prior approval by the Board. Specific case discussion and skill training require additional supervisory contact. Supervision is to be conducted on a one-to-one basis, and shall not be substituted for by group seminars or consultation even though they may be excellent training procedures in their own right. It is likely that more than one hour per week would be required, especially with supervisees of lesser experience.