

October 2022

Economic Impact Statements for Proposed Rules

The corresponding proposed rule to each of the statements below may be viewed in its entirety in the October 20, 2022 *Louisiana Register*. Each *Louisiana Register* edition is published on the 20<sup>th</sup> of each month.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses, or Nongovernmental Groups
Board of Elementary and Secondary Education	Bulletin 111—The Louisiana School, District, and State Accountability System	The proposed revisions will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.
Board of Elementary and Secondary Education	Bulletin 136—The Louisiana Standards for Early Childhood Care and Education Programs Serving Children Birth-Five Years	The proposed revisions may require child care providers to participate in further training; however, the LDE covers the cost of these trainings through Child Care Resource and Referral Agencies and/or through online trainings developed and provided by the LDE.
Board of Elementary and Secondary Education	Bulletin 137—Louisiana Early Learning Center Licensing Regulations	The proposed revisions will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.
Board of Elementary and Secondary Education	Bulletin 741—Louisiana Handbook for School Administrators—Attendance	The proposed revisions will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.
Board of Elementary and Secondary Education	Bulletin 741—Louisiana Handbook for School Administrators—Installation and Operation of Cameras in Certain Special Education Settings	The proposed revisions will not result in additional costs to directly affected persons, small businesses, or non-governmental groups.
Board of Elementary and Secondary Education	Bulletin 741—Louisiana Handbook for School Administrators Student Transfer Requests	The proposed revisions will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.
Board of Elementary and Secondary Education	Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators	There may be increased workload for nonpublic schools to develop the continuous learning plans required by the proposed revisions. However, any associated costs are indeterminable. The proposed revisions will not result in costs and/or benefits to other directly affected persons, small businesses, or non-governmental groups.
Board of Elementary and Secondary Education	Bulletin 746—Louisiana Standards for State Certification of School Personnel	Prospective educators will save the cost of the Praxis Core exams: \$150 for the combined assessment or \$270 if taking the exams separately. Removal of the provision requiring the Praxis Core examination may provide economic benefits to an indeterminable number of prospective educators by allowing participation in preparation programs from which they were previously prohibited. Educators in alternate teacher preparation programs applying for initial or add-on certification in one of the areas affected by these revisions will incur an examination fee of \$156 if they take the PRAXIS teaching reading exam in lieu of required credit hours or BESE-approved literacy foundations training.
Board of Elementary and Secondary Education	Bulletin 746—Louisiana Standards for State Certification of School Personnel—Algebra I	Educators who choose to add an Algebra I endorsement to an existing certificate will need to take the Algebra I Praxis examination, test code 5162, at a cost of \$130. A \$25 application fee is required to update the teaching certificate.
Board of Elementary and Secondary Education	Bulletin 996—Standards for Approval of Teacher and/or Educational Leader Educational Preparation Programs	Prospective educators will save the cost of the Praxis Core exams: \$150 for the combined assessment or \$270 if taking the exams separately. Removal of the provision requiring the Praxis Core examination may provide economic benefits to an indeterminable number of prospective educators by allowing participation in preparation programs from which they were previously prohibited.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses, or Nongovernmental Groups
Board of Elementary and Secondary Education	<b>Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities—Alternate Assessment Participation Criteria</b>	The proposed revisions will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.
Board of Elementary and Secondary Education	<b>Innovative Assessment Program</b>	The proposed revisions will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.
Department of Environmental Quality	<b>One-Time Wastes Excluded—Marine Shale Processors (MSP) Site PRP Group</b>	Assuming the delisting petition is granted, MSP, Inc. will remove the material and send it to a permitted solid waste landfill for disposal at an estimated total cost of \$3,478,000. This option would produce an economic benefit to Louisiana companies hired to implement the remediation. The remediation of the 11,400 cubic yards will benefit MSP, Inc. by allowing full utilization of its industrial property.
Board of Dentistry	<b>Dentists; Continuing Education Requirements</b>	The proposed changes to §306 and §706 are meant to conform to the recently amended statute La. R.S. 37:761 (C) by the Louisiana legislature and will benefit applicants for dental and dental hygiene licensure by credentials as they will now be allowed to successfully complete an initial licensure examination in a United States jurisdiction that includes a hand skills assessment rather than a procedure on a live patient.
Board of Medical Examiners	<b>Rules of Procedure; Complaints and Investigations</b>	It is not anticipated that the proposed amendment will have any economic benefit to directly affected persons, small businesses, or non-governmental groups and/or have any material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups.
Board of Medical Examiners	<b>Clinical Laboratory Personnel</b>	It is not anticipated that the proposed amendment will have any economic benefit to directly affected persons, small businesses, or non-governmental groups and/or have any material effect on costs, paperwork or workload of physicians or other health care providers licensed by the LSBME, nor on receipts and/or income of licensees, small businesses, or non-governmental groups.
Department of Health	<b>Adult Residential Care Providers Licensing Standards</b>	In compliance with Acts 112 and 531 of the 2022 Regular Session of the Louisiana Legislature, this proposed rule amends the provisions governing the licensing of adult residential care providers (ARCPs) in order to revise the definitions and requirements for medication administration in adult residential care facilities, and to remove facility need review (FNR) as a requirement for licensure. This proposed rule will be beneficial to recipients of ARCP services and providers by ensuring that legislative mandates regarding medication administration are incorporated into the administrative rule. Providers will also benefit from the removal of the requirement that an FNR must be conducted in order for certain ARCPs to be licensed. It is anticipated that implementation of this proposed rule will not result in costs to ARCPs for FY 22-23, FY 23-24, and FY 24-25, but will be beneficial for these providers by ensuring that the Louisiana Administrative Code aligns with current requirements for licensure.
Department of Health	<b>Inpatient Hospital Services Teaching Classification Qualifications</b>	In compliance with Act 152 of the 2022 Regular Session of the Louisiana Legislature, this proposed rule amends the provisions governing inpatient hospital services in order to expand the qualifications for classification as a teaching hospital in the Medical Assistance Program to include facilities that have documented affiliation agreements with Louisiana medical schools accredited by the Commission of Osteopathic College Accreditation (COCA). There is no way to know how many, if any, additional facilities would qualify for major or minor teaching hospital status as a result of this proposed rule. To the extent that a facility would qualify, it could result in an additional, but indeterminable increase in expenditures for inpatient hospital services for FY 22-23, FY 23-24, and FY 24-25.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses, or Nongovernmental Groups
<b>Department of Health</b>	<b>Nurse Aide Training and Competency Evaluation Program Medication Attendant Certified Licensing Standards</b>	In compliance with Act 112 of the 2022 Regular Session of the Louisiana Legislature, this proposed rule amends the provisions governing the Nurse Aide Training and Competency Evaluation Program in order to update the licensing requirements for medication attendants certified (MACs) that provide services in licensed long-term care facilities. This proposed rule updates the existing licensure requirements for MACs in the Louisiana Administrative Code to align with legislative mandates. It is anticipated that implementation of this proposed rule will not result in costs to MACs and licensed long-term care facilities in FY 22-23, FY 23-24, and FY 24-25, but will be beneficial by ensuring that the language in the administrative rule accurately reflects current licensure requirements.
<b>Department of Insurance</b>	<b>Regulation 53—Basic Health Insurance Plan Pilot Program</b>	The proposed rule is not anticipated to have any costs and/or economic benefits to directly affected persons, small businesses, or non-governmental groups. The rule is being amended to modify terminology and updates statutory references that have been redesignated.
<b>Department of Insurance</b>	<b>Regulation 101—Registration and Regulation of Navigators</b>	The proposed rule change is not anticipated to result in any cost and/or economic benefits to directly affected persons, small businesses, or non-governmental organizations. The rule is being repealed due to the passage of Act 635 of the 2014 Louisiana Regular Legislative Session.
<b>Department of Insurance</b>	<b>Regulation 124—Catastrophe Claims Process Disclosure Form-Guide</b>	The proposed rule may affect property and casualty insurers licensed in Louisiana. The proposed rule requires property and casualty insurers to provide a disclosure form-guide to all policyholders filing a claim for property damages as a result of an event declared by the governor as a state of emergency. The catastrophe claims process disclosure form-guide is being created by the Commissioner of Insurance and will be uploaded to the LDI website for insurers to access and download as needed. The insurer shall send the disclosure form-guide to the policyholder by United States mail, electronic delivery, or hand delivery.
<b>Department of Natural Resources</b>	<b>Community Injection Wells and Systems</b>	This rule change will allow operators to re-use produced water or brine on a non-commercial basis for enhanced recovery projects. This rule change is likely to create a costs savings for operators of oil and gas wells located near enhanced recovery injection projects by not having to install injection wells or commercially dispose of their waste. Also, operators who operate these enhanced recovery projects will benefit by not having to install brine or water source wells.
<b>Department of Public Safety and Corrections</b>	<b>Video Draw Poker</b>	The proposed rule change may result in cost savings to directly affected persons, small businesses, or non-governmental units. Currently, licensees are required to submit the service/repair form within five business days of the service/repair that may alter meter readings from the video gaming device. The proposed rule change will require video gaming licensees to provide the service/repair form to the division upon request and to provide current meter readings in a manner prescribed by the division, within twenty-four hours. The proposed rule change will require licensed service entities to maintain records of invoices, service, and/or repair to devices when the logic board is accessed or meter readings are altered. The proposed rule change will require device owners to retain the door ticket, which may be scanned and retained electronically, for a period not less than 90 days and to maintain a current written maintenance log containing a log entry any time the logic board is accessed or meter readings, mechanical (hard) and electronic (soft), of the device are altered.
<b>Department of Revenue</b>	<b>Apprenticeship Tax Credits</b>	No material aggregate impacts on costs or economic benefits are anticipated for affected persons, small business or non-governmental groups due to this proposed rule change. In order to claim the tax credit, taxpayers must attach a copy of supporting documentation to support eligibility for the credit. Any additional costs for completion and submission of the required paperwork of this proposed rule are expected to be minimal.

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<b>Department of Revenue</b>	<b>Fresh Start Proper Worker Classification Initiative</b>	The proposed rule will have minimal direct economic impact on directly affected persons, small businesses, or non-governmental groups. Affected businesses are employers who have been misclassifying employees as independent contractors and consistently treating them as independent contractors. Additional paperwork will be required for employers applying for relief through the Fresh Start Program initiative, but the costs are not expected to be material. Electronic filing is also required, which is expected to be accommodated under normal business operations for most. Any business obtaining relief provided by the program will avoid withholdings, penalties and interest to the extent the program allows.
<b>Department of Revenue</b>	<b>Income Tax Return Filing Extensions</b>	Taxpayers will no longer be required to submit a separate request for a state filing extension therefore reducing the number of filings they need to perform. The savings could be material for larger accounting firms depending on the number of clients in Louisiana.
<b>State Bond Commission</b>	<b>Virtual Meetings</b>	There are no estimate costs to directly affected persons, small businesses, or non-governmental groups. Periodic virtual meetings could potentially reduce expenses to directly affected persons, small businesses, or non-governmental groups by negating the need for travel to a Commission meeting for an application being presented.