

Best Case Scenario for Rule Making:

(Without Public Hearings, Substantive Changes, and Oversight Committee Hearings)

For a thorough understanding of the process, read the Administrative Procedure Act, as this is not a comprehensive overview of the entire process.

STEP 1. Compose an underscore/strikethrough version of the proposed rule. For amendments, use an electronic copy of certified current rules provided by the Office of the State Register (OSR).

*This version must be in codified format (refer to OSR formatting in LAC Handbook).

STEP 2. Prepare a Fiscal and Economic Impact Statement (FEIS) and a Regulatory Flexibility Analysis (see R.S. 49:965.6)

*OSR can provide copies of completed FEIS as guides. Do note that every statement is different, as the content for each proposed rule is unique.

STEP 3. Turn in completed FEIS, underscore/strikethrough version of proposal, and cover letter with your agency contact information to Legislative Fiscal Office (LFO) (State Capitol, 18th floor, 342-7233).

STEP 4. Compose a Notice of Intent for promulgation in *Louisiana Register* [refer to R.S. 49:953(A)(1)(a) for content] and for oversight. The Notice of Intent should contain:

*opening paragraph with:

a citation of the enabling legislation that grants your agency rule-making authority, the intended action being taken (adoption, amendment, or repeal), and the basis and rationale for this proposal

(or statement letting the public know where they can obtain a preamble).

*rule text in codified format (only sections being changed - refer to LAC Handbook)

(this portion will need to be in an underscore/strikethrough format for oversight)

*family impact statement (LAC Handbook has examples)

*poverty impact statement (see the Louisiana Register for examples)

*provider impact statement (see the Louisiana Register for examples)

*interested parties paragraph (paragraph letting the public know how they can respond, to whom, where, and a cut-off date for inquiries)

*fiscal and economic impact summary

STEP 5. After getting approved FEIS from LFO :

*bring copy of underscore/strikethrough Notice of Intent, cover letter with your agency contact information and brief explanation of the proposal, and copy of the signed FEIS to:

President of the Senate

Speaker of the House

House Oversight Committee

Senate Oversight Committee

This is the report to the oversight committees as mentioned in R.S. 49:968 (B) and (C.)

Refer to R.S. 49:968 to find your office's appropriate oversight committees.

*bring copy prepared in STEP 4 (in electronic format: disk or on-line submission), signed insertion order, and original approved FEIS to Office of the State Register.

STEP 6. After receiving comments [refer to R.S. 49:953(A)(2)(a) for additional information concerning comments and possible hearing notification], prepare a summary report for oversight committees. The summary report should contain: [R.S. 49:968(D)(1)(b)]

*agency contact information

*title of proposed rule and information where it can be found (Louisiana Register issue and page number that Notice of Intent appeared)

*summary of all comments, agency responses (you must respond to each comment received), and any action taken as a result

*any revisions to the proposed rule [if making substantive changes refer to R.S. 49:968(H)(2)]

*basis and rationale for the rule proposal

*date when proposed rule will be effective

STEP 7. Bring photocopy of the Notice of Intent (as appeared in the *Louisiana Register*) and another signed insertion order to Office of the State Register for Rule promulgation.

***Refer to the Rule-Making Timeline (in LAC Handbook and on OSR website)
for Deadlines for Submittal of all documentation.***